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CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: The 123rd item in the February, 1978, Register would be cited as WSR 78-02-123.

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the Code Reviser pursuant to chapter 28B.19 RCW or 34.04 RCW is available for public inspection during normal office hours. The Code Reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to noon and from 1 p.m. to 5 p.m. Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

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CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

> **DENNIS W. COOPER** Code Reviser

WASHINGTON STATE REGISTER

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The Washington State Register is an official publication of the State of Washington. It contains proposed, emergency, and permanently adopted administrative rules, as well as other documents filed with the Code Reviser pursuant to RCW 34.08.020 and 42.30.075. Publication of any material

> Robert L. Charette, Chairman, Statute Law Committee

in the Washington State Register is deemed to be official notice of such information.

Dennis W. Cooper, Code Reviser

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence within an issue's material.

2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW) may be distinguished by the size and style of type in which they appear.

- (a) Proposed rules are those rules pending permanent adoption by an agency and set forth in eight point type.
- (b) Adopted rules have been permanently adopted and are set forth in ten point type.
- (c) Emergency rules have been adopted on an emergency basis and are set forth in ten point oblique type.

3. PRINTING STYLE — INDICATION OF NEW OR DELETED MATTER

RCW 34.04.058 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections
 - (i) underlined matter is new matter;
 - (ii) deleted matter is ((lined out and bracketed between double parenthesee));
- (b) Complete new sections are prefaced by the heading NEW SECTION;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

Material contained in the Register other than rule-making actions taken under the APA or the HEAPA does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules take effect thirty days after the rules and the agency order adopting them are filed with the code reviser. This effective date may be delayed, but not advanced, and a delayed effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser and remain effective for a maximum of ninety days from that date.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

6. EDITORIAL CORRECTIONS

Material inserted by the code reviser for purposes of clarification or correction or to show the source or history of a document is enclosed in brackets [].

7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

1978—1979 DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Distribution Date	First Agency Action Date ²	Closing Dates ¹		
			OTS ³ or 10 pages maximum (14 days)	Non-OTS and 11 to 29 pages (28 days)	Non-OTS and 30 pages or more (42 days)
78-07	Jul 19	Aug 8	Jul 5	Jun 21	Jun 7
78-08	Aug 16	Sep 5	Aug 2	Jul 19	Jul 5
78-09	Sep 20	Oct 10	Sep 6	Aug 23	Aug 9
78-10	Oct 18	Nov 7	Oct 4	Sep 20	Sep 6
78-11	Nov 15	Dec 5	Nov 1	Oct 18	Oct 4
<u> 78-12</u>	Dec 20	Jan 9, 1979	Dec 6	Nov 22	Nov 8
79-01	Jan 17	Feb 6	Jan 3	Dec 20, 1978	Dec 6, 1978
79-02	Feb 21	Mar 13	Feb 7	Jan 24	Jan 10
79-03	Mar 21	Apr 10	Mar 7	Feb 21	Feb 7
79-04	Apr 18	May 8	Apr 4	Mar 21	Mar 7
79-05	May 16	Jun 5	May 2	Apr 18	Apr 14
79-06	Jun 20	Jul 10	Jun 6	May 23	May 9

^{&#}x27;All documents are due at the Code Reviser's Office by 5:00 p.m. on the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

²"No proceeding shall be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained." RCW 28B.19.030(2) and 34.04.025(2). These dates represent the twentieth day after the distribution date of the immediately preceding Register.

³OTS is the acronym used for the Order Typing Service offered by the Code Reviser's Office which is briefly explained in WAC 1-12-220 and WAC 1-13-240.



WSR 78-07-052

ADOPTED RULES DEPARTMENT OF LABOR AND INDUSTRIES

[Order 78-10-Filed June 28, 1978]

I, John C. Hewitt, director of the Department of Labor and Industries, do promulgate and adopt at Director's Office, Olympia, Washington, the annexed rules relating to:

Amd chapter 296-27 WAC, changing record keeping requirements for small businesses employing ten employees or less and to reflect OSHA changes:

Amd WAC 296-52-010 Introduction, to eliminate references to re-

pealed rules;

New WAC 296-62-07341, Acrylonitrile, to reflect 29 CFR 1910.1045; and

New WAC 296-62-07345, 1,2-Dibromo-3-Chloropropane to reflect 29 CFR 1910.1044.

This action is taken pursuant to Notice No. WSR 78-04-079 filed with the code reviser on 4/4/78. Such rules shall take effect at a later date, such date being 7/28/78.

This rule is promulgated pursuant to chapters 42.30 and 43.22 RCW, RCW 49.17.040, 49.17.050 and 49.17..240 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 15, 1978.

By John C. Hewitt Director

AMENDATORY SECTION (Amending Order 70-4, filed 4-29-70)

WAC 296-52-010 INTRODUCTION ((AND REFERENCES)). The subject code shall apply to all persons in the State of Washington and will be known as the "Safety Standards for the Possession and Handling of Explosives((n,))," hereinafter called the "Explosives Code((n,))." ((Other rules on handling explosives and on applying safety standards in general are contained in the following chapters of the Washington Administrative Code latest revisions, which cover persons working under Title 51 RCW:

Chapter 296-25 WAC, General Safety Standards. Chapter 296-36 WAC, Safety Standards for Compressed Air Work.

Chapter 296-40 WAC, Safety Standards for Construction Work.

Chapter 296-50 WAC, Safety Standards for the Manufacture of Explosives.

Chapter 296-51 WAC, Safety Precautions Relative to Handling, Storage, Use and Sensitizing of Ammonium Nitrate.

Chapter 296-53 WAC, Safety Requirements for Explosive-Actuated Fastening Tools.

Chapter 296-54 WAC, Safety Standards for Logging Operations.

Chapter 296-56 WAC, Safety Standards for Longshore, Stevedore and Related Water-front Operations.

Chapter 296-60 WAC, Safety Standards for Metallic and Non-Metallic Mines:

Chapter 296-62 WAC, Occupational Health Standards.

Chapter 296-70 WAC, Safety Standards for Tunnels, Shafts and Subways:

Chapter 296-76 WAC, Quarry Safety Standards. In case of conflict between rules regarding the possession and handling of explosives, this Explosives Code, chapter 296-52 WAC, shall prevail.

In case of conflict between rules regarding all other items of safety, the General Safety Standards, WAC 296-52-005(4), shall govern:

Reference is made in this Explosives Code to other Washington State agencies, to federal and national agencies, indicating abbreviations, including:

Washington State Patrol (WSP)

Washington State Utilities and Transportation Commission (UTC)

U.S. Department of Transportation (DOT)

U.S. Department of Defense (DOD)

U.S. Interstate Commerce Commission (ICC)

U.S. Department of the Interior, Bureau of Mines

U.S. Pharmacopoeia

Institute of Makers of Explosives (IME)

Underwriters' Laboratories, Inc. (UL)

American National Standards Institute (ANSI), formerly United State of America Standards Institute (USASI), formerly American Standards Association (ASA)

National Fire Protection Association (NFPA)

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

Chapter 296-27 WAC RECORD KEEPING AND REPORTING

AMENDATORY SECTION

WAC	
296-27-010	Purpose and Scope.
296-27-020	Definitions.
296-27-030	Log and Summary of Occupational Injuries and Illnesses.
296-27-050	Supplementary Record.
296-27-060	Annual Summary.
296-27-120	Petitions for Record Keeping Exceptions.
296-27-140	Duties of Employers——Statistical Program.
296-27-150	Effective Date of Regulations.

NEW SECTION

WAC

296-27-077 Small Employers.

AMENDATORY SECTION (Amending Order 22, filed 5-6-74)

WAC 296-27-010 PURPOSE AND SCOPE. The regulations of this chapter implement sections RCW 49.17.050(5), RCW 49.17.220(1), RCW 49.17.220(2), RCW 49.17.230, and RCW 49.17.260 of the Washington Industrial Safety and Health Act of 1973. These sections provide for record keeping and reporting by ((att)) employers covered under the Act as necessary or appropriate for enforcement of the Act, for developing information regarding the causes and prevention of occupational accidents and illnesses, and for maintaining a program of collection, compilation, and analysis of industrial safety and health statistics.

Pursuant to the provisions of 29 CFR 1904.10, Records maintained by an employer and reports submitted pursuant to, and in accordance with the requirements of an approved State Plan under section 18 of the Federal Occupational Safety and Health Act of 1970 (Public Law 91-596, 84 STAT. 1590) shall be regarded as compliance with 29 CFR Part 1904 – "Recording and Reporting Occupational Injuries and Illnesses".

Compliance with and requirements of this chapter, as recognized by the Washington Industrial Safety and Health State Plan, is regarded as compliance with the provisions of the above-cited Federal requirements. Employers complying with the record keeping and reporting requirements of this chapter are not required to keep records as required by the Federal Record Keeping and Reporting Regulations (Ref. 29 CFR 1904.10).

The record keeping and reporting requirements of this chapter are separate and distinct from the record keeping and reporting requirements under Title 51 Revised Code of Washington (the Industrial Insurance Act) unless otherwise noted in this chapter.

AMENDATORY SECTION (Amending Order 22, filed 5-6-74)

- MAC 296-27-020 DEFINITIONS. (1) "Act" means the Washington Industrial Safety and Health Act of 1973, Chapter 49.17 RCW, as now or hereafter amended.
 - (2) The definitions and interpretations included in RCW 49.17.020 shall be applicable to such terms when used in this chapter, unless a different interpretation is clearly required by the context.
 - (3) "Recordable occupational injuries or illnesses of employees" means any occupational injury or illness of employees which result in:
 - (a) Occupational fatalities, regardless of the length of time between injury and death, or the length of the illness preceding the time of death (no recording is required for fatalities occurring after a termination of employment, except when recording may otherwise be required by a specific industrial safety and health standard adopted pursuant to the Act); or

- (b) Lost workday cases, other than fatalities, that result in lost workdays (see subsection (6) of this section); or
- (c) Occupational illnesses, or nonfatal cases without lost workdays which result in transfer to another job or termination of employment, or require medical treatment (other than first aid) or involve loss of consciousness or restriction of work or motion. This category also includes any diagnosed occupational illnesses which are reported to the employer but are not classified as fatalities or lost workday cases.
- (4) "Medical treatment" means and includes treatment administered by a physician or by registered professional personnel under the standing orders of a physician. Medical treatment does not include first aid treatment even though provided by a physician or registered professional personnel.
- (5) "First Aid" means any one-time treatment, and any follow-up visit or visits for the purpose of observation of minor scratches, cuts, burns, splinters and so forth which do not ordinarily require professional medical care. Such one-time treatment and follow-up visit or visits for the purpose of observation are considered first aid even though provided by a physician or registered professional personnel.
 - (6) "Lost workdays":
- (a) "Lost workdays days away from work" means the number of days (consecutive or not) after the day of injury or illness which the employee would have worked but could not because of occupational injury or illness. The number of "lost workdays days away from work", should not include the day of the injury, or the day the illness occurred, or any days which the employee was not scheduled to work; e.g. Saturday, Sunday, or holidays.
- (b) "Lost workdays days of restricted activity" means the number of workdays (consecutive or not) on which, because of the injury or illness:
 - (i) The employee was assigned to a temporary job; or
- (ii) The employee worked at a permanent job less than full time; or
- (iii) The employee worked at a permanently assigned job but could not perform all the duties normally assigned to that job.

The number of "lost workdays – days of restricted activity" should not include the day of the injury or the day the illness occurred, or any other days which the employee was not scheduled to work; e.g. Saturday, Sunday, or holidays, etc.

- (7) "Establishment" means:
- (a) A single physical location where business is conducted or where services or industrial operations are performed. (For example: a factory, mill, store, hotel, restaurant, movie theater, farm, ranch, bank, sales office, warehouse, or central administrative office.) Where distinctly separate activities are performed at a single physical location, such as contract construction activities operated from the same physical location as a lumber yard, each activity shall be treated as a separate establishment.
- (b) For firms engaged in activities such as agriculture, construction, transportation, communications, electric,

gas or sanitary services, which may be physically disbursed, "establishment" means a place to which employees report each day.

- (c) For employees who do not primarily report or work at a single establishment, and who are generally not supervised in their daily work, such as travelling salesmen, technicians, engineers, etc., "establishment" means the location from which they are paid, or the base from which employees operate to carry out their activities.
- (8) "WISHERS" means Washington Industrial Safety and Health Evaluation and Reporting System.
- (9) "Occupational illness" means such illness as arises naturally and approximately out of employment under the provisions of the Act.

NOTE: Examples of occupational illnesses appear on the instruction page of Form ((WISHERS No. 100)) OSHA No. 200.

- (10) "Occupational" means industrial and industrial means occupational.
- (11) "OSHA" means Occupational Safety and Health Administration.

AMENDATORY SECTION (Amending Order 22, filed 5-6-74)

WAC 296-27-030 LOG AND SUMMARY OF OCCUPATIONAL INJURIES AND ILLNESSES.

(1) Except as provided in subsection (2) of this section, each employer ((subject to the Act)) shall:

- (a) Maintain in each establishment a log of all recordable occupational injuries and illnesses for that establishment; and
- (b) Enter each recordable injury and illness on the log as early as practicable, but no later than six working days after receiving information that a recordable case has occurred. For this purpose Form ((WISHERS No. 100)) OSHA No. 200 or an equivalent which is as readable and comprehensible to a person not familiar with it shall be used. The log and summary shall be completed in the detail provided in the forms and instructions ((of)) on Form ((WISHERS No. 100,)) OSHA No. 200 ((a facsimile of which appears as Appendix 1 of this chapter)).
- (2) Any employer may maintain the log and summary of all recordable occupational injuries and illnesses at a place other than the establishment or by means of data processing equipment, or both, if at each of the employer's establishments there is available a copy of the log and summary which reflects separately the injury and illness experience of that establishment complete and current to a date within 45 calendar days.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

C AMENDATORY SECTION (Amending Order 22, filed 5-6-74)

WAC 296-27-050 SUPPLEMENTARY RECORD. In addition to the log and summary of occupational injuries and illnesses provided for under WAC

296-27-030, each employer shall have available at each establishment or other location as specified in WAC 296-27-020 within six working days after receiving information that a recordable case has occurred, a supplementary record for each occupational injury or illness for that establishment. The record shall be completed in the detail prescribed in the instructions accompanying Form ((WISHERS)) OSHA No. 101 ((, a facsimile of which appears as Appendix 2 of this chapter)). The Department of Labor and Industries ACCIDENT RE-PORT FORM ((S-F 1537 (revised 12-72))) LI-210-130 may be used as an alternative to the Form ((WISHERS)) OSHA 101. Other reports are acceptable alternative records if they contain the information required by Form ((WISHERS)) OSHA No. 101. If no acceptable alternative record is maintained for other purposes, Form ((WISHERS)) OSHA No. 101 shall be used for the necessary information or shall be otherwise maintained in a convenient form.

@ AMENDATORY SECTION

WAC 296-27-060 ANNUAL SUMMARY. (1) Each employer ((subject)) to the Act)) shall ((compile)) post an annual summary of occupational injuries and illnesses for each establishment. ((Each annual summary shall be based on the information contained in the log of occupational injuries and illnesses for the particular establishment. Form WISHERS No. 102 shall be used for this purpose and shall be completed in the form and detail as provided in that form, a facsimile of which appears as Appendix 3 of this chapter.)) This summary shall consist of a copy of the year's totals from the form OSHA No. 200 and the following information from that form: calendar year covered, company name, establishment name, establishment address, certification signature, title, and date. A form OSHA No. 200 shall be used in presenting the summary. If no injuries or illnesses occurred in the year, zeros must be entered on the totals line, and the form must be posted.

(2) The summary shall be completed by February 1 ((no later than one month after the close of each calendar year,)) beginning with the calendar year 197((5))9.

- (3) Each employer, or the officer or employee of the employer who supervises the preparation of the ((annual)) log and summary of occupational injuries and illnesses, shall certify that the annual summary of occupational injuries and illnesses is true and complete. The certification shall be accomplished by affixing the signature of the employer, or the officer or employe((e))r ((of the employer)) who supervises the preparation of the annual summary of occupational injuries and illnesses, at the bottom of the last page of the log and summary ((to the lower right—hand corner of the annual)), or by appending a separate statement to the (((annual))) log and summary((5)) certifying that the ((annual)) summary is true and complete.
- (4) (a) Each employer shall post a copy of the establishment's ((annual)) summary in each establishment. The summary covering the previous calendar year shall be posted no later than February 1, and shall remain in place until March 1. For employees who do not primarily report or work at a single establishment, or who do

not report to any fixed establishment on a regular basis, employers shall satisfy ((these)) this posting requirement((s)) by presenting or mailing a copy of the summary portion of the log and summary during the month of February of the following year to each such employee who receives pay during that month. For multi-establishment employers where operations have closed down in some establishments during the calendar year, it will not be necessary to post summaries for those establishments.

(b) A failure to post a copy of the establishment's ((annual)) summary, or otherwise satisfy the posting requirements as specified in this section, may result in the issuance of citations and assessments of penalties pursuant to RCW 49.17.120 and RCW 49.17.180.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 296-27-077 SMALL EMPLOYERS. (1) An employer who had no more than ten employees at any time during the calendar year immediately preceding the current calendar year need not comply with any of the requirements of this chapter except the following:

(a) Obligation to report under WAC 296-27-090 concerning fatalities or multiple hospitalization acci-

dents; and

(b) Obligation to maintain a log of occupational injuries and illnesses under WAC 296-27-030 and to make reports under WAC 296-27-140 upon being notified in writing by the Bureau of Labor Statistics and the Department of Labor and Industries that the employer has been selected to participate in a statistical survey of occupational injuries and illnesses.

$\mathbf{C} \frac{\text{AMENDATORY SECTION}}{\text{filed 9-30-76}}$ (Amending Order 29,

WAC 296-27-120 PETITIONS FOR RECORD KEEPING EXCEPTIONS. (1)(a) In order to achieve a uniform, national system for the record keeping and reporting of occupational injuries and illnesses, the State of Washington and the United States Department of Labor have agreed that as applied to employers as defined by subsection 3(5) of the Occupational Safety and Health Act of 1970 (Public Law 91-596, 81 STAT 1950) the state shall not grant any variances or exceptions to the record keeping and reporting regulations of this chapter, with the exception of approval of forms to serve as the substitutes for ((WISHERS)) OSHA ((forms number 100 and)) 101 and OSHA 200 (see WAC 296-27-030 and WAC 296-27-050), without prior approval of the Bureau of Labor Statistics.

(b) Any public employer who wishes to maintain records in a manner different from that prescribed by this chapter may submit a petition containing the information specified in subsection (5) of this section to the director, Department of Labor and Industries, General Administration Building, Olympia, Washington 98504.

(2) All petitions for authorization to maintain records in a manner different than that required by this chapter

shall be submitted to the director or directly to the Bureau of Labor Statistics. The director, upon receipt of a petition submitted pursuant to the provisions of subsection (3) of this section, shall immediately forward copies of same to appropriate officials of the Bureau of Labor Statistics. Should said federal officials inform the director of their belief in the desirability or necessity of additional notice or conferences pursuant to provisions of subsection (7) of this section, the director shall provide or cause to be provided such additional notice and/or afford an opportunity for interested parties for informal conferences or hearings concerning the petition. For the purposes of this section, the Occupational Safety and Health Administration and the Bureau of Labor Statistics shall be considered interested parties.

The Bureau of Labor Statistics shall be afforded the opportunity to review the petition and any comments submitted in regard thereto. The director shall not grant the petition prior to a finding by the said federal agency that the alternative procedure proposed will not hamper or interfere with the purposes of the Occupational Safety and Health Act of 1970.

- (3) Submission of Petition. Any employer, who for good cause wishes to maintain records in a manner different from that required by this chapter, may submit a petition containing the information specified in subsection (5) of this section to the director.
- (4) Opportunity for Comment. Affected employees, or their representatives shall have an opportunity to submit written data, views, or arguments concerning the petition to the director within ten working days following the receipt of notice under subdivision (5)(e) of this section.
- (5) Contents of Petition. A petition filed under subsection (3) of this section shall include:
 - (a) The name and address of the applicant;
- (b) The address of the place or places (establishment or establishments) of the employment involved;
 - (c) Specifications of the reasons for seeking relief;
- (d) A description of the different record keeping procedures which are proposed by the applicant;
 - (e) A statement that:
- (i) The applicant has informed his affected employees of the petition by giving a copy thereof to them or to their authorized representative, posting a statement giving a summary of the petition and specifying where a copy of the petition may be obtained, at the place or places where notices to employees are normally posted, and by other appropriate means. A statement posted pursuant to these provisions shall be posted in each establishment identified in WAC 296-27-120(4)(b).
- (ii) The applicant has in the same manner informed affected employees and their representatives of their rights under subsection (3) of this section.
 - (6) Additional Notice Conferences.
- (a) In addition to the actual notice provided for in subdivision (5)(e) of this section, the director may provide, or cause to be provided, such additional notice of the petition as he may deem appropriate.
- (b) The director may also afford an opportunity to interested parties for informational conferences or hearings concerning the petition.

- (7) After review of the petition, and any comments submitted in regard thereto, and upon completion of any necessary appropriate investigation concerning the petition, if the director finds that the alternative procedure proposed will not hamper or interfere with the purposes of the Act, and will provide equivalent information, he may grant the petition subject to such conditions as he may determine appropriate, subject to the provisions of WAC 296-200-120(2), and subject to revocation for cause.
- (8) Publication. When any relief is granted to an applicant under this chapter, notice of such relief, and the reasons therefor, may be published in the Federal Register.
- (9) Revocation. Whenever any relief under this section is sought to be revoked for any failure to comply with the conditions thereof, an opportunity for informal hearing or conference shall be afforded to the employers and effected employees, or their representatives, and other interested parties. Except in cases of willfulness or where public safety or health requires otherwise, before the commencement of any such informal proceeding, the employer shall:
- (a) Be notified in writing of the facts of conduct which may warrant the action and,
- (b) Be given an opportunity to demonstrate or achieve compliance.
- (10) Compliance After Submission of Petitions. The submission of a petition or any delay by the director in acting upon a petition shall not relieve any employer from any obligation to comply with the provisions of this chapter.
- (11) The director shall honor exceptions to the provisions of 29 CFR 1904 RECORDING AND REPORTING OCCUPATIONAL INJURIES AND ILLNESSES, granted by the Bureau of Labor Statistics to companies having establishments in states other than Washington, when such exceptions apply to the establishments within this State.
- (12) There shall be consultation between the appropriate representatives of the department, the Occupational Safety and Health Administration, and the Bureau of Labor Statistics in order to enjoy the effective implementation of this chapter.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 22, filed 5-6-74)

WAC 296-27-140 DUTIES OF EMPLOY-ERS—STATISTICAL PROGRAM. Upon receipt of an Occupational Injuries and Illnesses Survey Form, Form ((WISHERS)) OSHA No. ((103)) 200-S, the employer shall promptly complete the form in accordance with the instructions contained therein and return it in accordance with the aforesaid instructions. ((A facsimile of the Form WISHERS No. 103 and the instructions pertinent to that form appear as Appendix 4 at the end of this chapter.))

<u>AMENDATORY SECTION</u> (Amending Order 22, filed 5-6-74)

WAC 296-27-150 EFFECTIVE DATE OF REG-ULATIONS. Pursuant to the finding of the director that additional time is needed to afford affected employers a reasonable opportunity to make changes in methods, means, or practices to meet the requirements of WAC 296-27-010 through WAC 296-27-140, the effective date of these requirements shall be January 1, ((1975)) 1978.

NEW SECTION

- WAC 296-62-07341 ACRYLONITRILE. (1) Scope and Application.
- (a) This section applies to all occupational exposure to acrylonitrile (AN), Chemical Abstracts Service Registry No. 000107131, except as provided in subsection (1)(b) of this section.
- (b) This section does not apply to the processing, use, and handling of products fabricated from polyacrylonitrile (PAN) where objective data is reasonably relied upon as to one of the following conditions:
- (i) That the material to be processed is not capable of releasing AN resulting in airborne concentrations in excess of [1.0 ppm; or 0.5 ppm; or 0.1 ppm], under the expected conditions of processing, use and handling which will cause the greatest possible release; or
- (ii) That the material to be processed is not a latex or other liquid mixture and does not contain more than (XX) ppm by weight, residual AN; or
- (iii) That the material to be processed is not a latex or other liquid mixture and will not be heated or melted during the fabrication process.

Where the processing, use, and handling of products fabricated from PAN are exempted under this subsection, the employer shall maintain records of the objective data supporting that exemption, as provided in subsection (17) of this section.

- (2) Definitions, as applicable to this section:
- (a) "Acrylonitrile" or "AN" acrylonitrile monomer, chemical formula CH2=CHCN.
- (b) "Action level" a concentration of AN of [1 ppm; or 0.5 ppm; or 0.1 ppm] averaged over any eight-hour period.
- (c) "Authorized person" any person specifically authorized by the employer whose duties require the person to enter a regulated area, or any person entering such an area as a designated representative of employees for the purpose of exercising the opportunity to observe monitoring procedures under subsection (18) of this section.
- (d) "Director" the Director of Labor and Industries, or his authorized representative.
- (e) "Emergency" any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment, which is likely to, or does, result in unexpected exposure to AN in excess of the ceiling limit.
- (f) "Polyacrylonitrile" or "PAN" polyacrylonitrile homopolymers or copolymers, except for materials as exempted under subsection (1)(b) of this section.

- (3) Permissible exposure limits. (a) Inhalation. (i) Time-weighted average limit (TWA). The employer shall assure that no employee is exposed to an airborne concentration of acrylonitrile in excess of [two (2) parts; or one part; or two-tenths (0.2) part] acrylonitrile per million parts of air [2 ppm; or 1 ppm; or 0.2 ppm], as an eight-hour time-weighted average.
- (ii) Ceiling limit. The employer shall assure that no employee is exposed to an airborne concentration of acrylonitrile in excess of [10 ppm; or 5 ppm; or 1 ppm] as averaged over any fifteen-minute period during the working day.
- (b) Dermal and eye exposure. The employer shall assure that no employee is exposed to skin contact or eye contact with liquid AN or PAN.
- (4) Notification of use and emergencies. (a) Use. Within ten days of the effective date of this standard, or within fifteen days following the introduction of AN into the workplace, every employer shall report, unless he has done so pursuant to the emergency temporary standard, the following information to the Director for each such workplace:
- (i) The address and location of each workplace in which AN is present;
- (ii) A brief description of each process of operation which may result in employee exposure to AN;
- (iii) The number of employees engaged in each process or operation who may be exposed to AN and an estimate of the frequency and degree of exposure that occurs; and
- (iv) A brief description of the employer's safety and health program as it relates to limitation of employee exposure to AN. Whenever there has been a significant change in the information required by this subsection, the employer shall promptly amend such information previously provided to the Director.
- (b) Emergencies and remedial action. Emergencies, and the facts obtainable at that time, shall be reported within 24 hours of the initial occurrence to the Director. Upon request of the Director, the employer shall submit additional information in writing relevant to the nature and extent of employee exposures and measures taken to prevent future emergencies of a similar nature.
- (5) Exposure monitoring. (a) General. (i) Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to AN over an eight-hour period.
- (ii) For the purposes of this section, employee exposure is that which would occur if the employee were not using a respirator.
- (b) Initial monitoring. Each employer who has a place of employment in which AN is present shall monitor each such workplace and work operation to accurately determine the airborne concentrations of AN to which employees may be exposed. Such monitoring may be done on a representative basis, provided that the employer can demonstrate that the determinations are representative of employee exposures.
- (c) Frequency. (i) If the monitoring required by this section reveals employee exposure to be below the action level, the employer may discontinue monitoring for that employee.

- (ii) If the monitoring required by this section reveals employee exposure to be at or above the action level but below the permissible exposure limits, the employer shall repeat such monitoring for each such employee at least quarterly.
- (iii) If the monitoring required by this section reveals employee exposure to be in excess of the permissible exposure limits, the employer shall repeat these determinations for each such employee at least monthly. The employer shall continue these monthly measurements until at least two consecutive measurements, taken at least seven days apart, are below the permissible exposure limits, and thereafter the employer shall monitor at least quarterly.
- (d) Additional monitoring. Whenever there has been a production, process, control or personnel change which may result in new or additional exposure to AN, or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to AN, additional monitoring which complies with this subsection shall be conducted.
- (e) Employee notification. (i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the results which represent that employee's exposure.
- (ii) Whenever the results indicate that the representative employee exposure exceeds the permissible exposure limits, the employer shall include in the written notice a statement that the permissible exposure limits were exceeded and a description of the corrective action being taken to reduce exposure to or below the permissible exposure limits.
- (f) Accuracy of measurement. The method of measurement of employee exposures shall be accurate, to a confidence level of 95 percent, to within plus or minus 25 percent for concentrations of AN at or above the permissible exposure limits, and plus or minus 35 percent for concentrations of AN between the action level and the permissible exposure limits.
- (g) Weekly survey of operations involving liquid AN. In addition to monitoring of employee exposures to AN as otherwise required by this subsection, the employer shall survey areas of operations involving liquid AN at least weekly to detect points where AN liquid or vapor are being released into the workplace. The survey shall employ an infra-red gas analyzer calibrated for AN, a multipoint gas chromatographic monitor, or comparable system for detection of AN. A listing of levels detected and areas of AN release, as determined from the survey, shall be posted prominently in the workplace, and shall remain posted until the next survey is completed.
- (6) Regulated areas. (a) The employer shall establish regulated areas where AN concentrations are in excess of the permissible exposure limits.
- (b) Regulated areas shall be demarcated and segregated from the rest of the workplace, in any manner that minimizes the number of persons who will be exposed to AN
- (c) Access to regulated areas shall be limited to authorized persons or to persons otherwise authorized by the Act or regulations issued pursuant thereto.

- (d) The employer shall assure that in the regulated area, food or beverages are not present or consumed, smoking products are not present or used, and cosmetics are not applied, (except that these activities may be conducted in the lunchrooms, change rooms and showers required under subsections (13)(a)-(13)(c) of this section.
- (7) Methods of compliance. (a) Engineering and work practice controls. (i) The employer shall institute engineering or work practice controls to reduce and maintain employee exposures to AN, to or below the permissible exposure limits, except to the extent that the employer establishes that such controls are not feasible.
- (ii) Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limits, the employer shall nonetheless use them to reduce exposures to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of subsection (8) of this section.
- (b) Compliance program. (i) The employer shall establish and implement a written program to reduce employee exposures to or below the permissible exposure limits solely by means of engineering and work practice controls, as required by subsection (7)(a) of this section.
- (ii) Written plans for these compliance programs shall include at least the following:
- (A) A description of each operation or process resulting in employee exposure to AN above the permissible exposure limits;
- (B) Engineering plans and other studies used to determine the controls for each process;
- (C) A report of the technology considered in meeting the permissible exposure limits;
- (D) A detailed schedule for the implementation of engineering or work practice controls; and
 - (E) Other relevant information.
- (iii) Written plans for such a program shall be submitted upon request to the Director, and shall be available at the worksite for examination and copying by the Director, or any affected employee or representative.
- (iv) The plans required by this subsection shall be revised and updated at least every six months to reflect the current status of the program.
- (8) Respiratory protection. (a) General. The employer shall assure that respirators are used where required pursuant to this section to reduce employee exposure to within the permissible exposure limits and in emergencies. Compliance with the permissible exposure limits may not be achieved by the use of respirators except:
- (i) During the time period necessary to install or implement feasible engineering and work practice controls; or
- (ii) In work operations such as maintenance and repair activities in which the employer establishes that engineering and work practice controls are not feasible; or
- (iii) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the permissible exposure limits; or
 - (iv) In emergencies.

(b) Respirator selection. (i) Where respiratory protection is required under this section, the employer shall select and provide at no cost to the employee, the appropriate type of respirator from Table I and shall assure that the employee wears the respirator provided.

TABLE I RESPIRATORY PROTECTION FOR ACRYLONITRILE (AN)

ACRYLONITRILE (AN)					
Concentration of AN or Condition of Use	Respirator Type				
(a) Less than or equal to 10 x permissible exposure limits.	 Any chemical cartridge respirator with organic vapor cartridge(s) and half-mask; or Any supplied air respirator with half-mask. 				
(b) Less than or equal to 50 x permissible exposure limits.	 Any organic vapor gas mask; or Any supplied air respirator with full facepiece; or Any self-contained breathing apparatus with full facepiece. 				
(c) Less than or equal to 2,000 x permissible exposure limits.	(1) Supplied air respirator in posi- tive pressure mode with full facepiece, helmet, hood, or suit.				
(d) Less than or equal to 10,000 x permissible exposure limits.	 Supplied air respirator and auxiliary self-contained full facepiece in positive pressure mode; or Open circuit self-contained breathing apparatus with full facepiece in positive pressure mode. 				
(e) Emergency entry into un- known concentration of fire- fighting.	(1) Any self-contained breathing apparatus with full facepiece in positive pressure mode.				
(f) Escape.	 Any organic vapor gas mask; or Any self-contained breathing apparatus with full facepiece. 				
(ii) The employer shall	select respirators from those				

- (ii) The employer shall select respirators from those approved for use with AN by the National Institute for Occupational Safety and Health under the provisions of WAC 296-24-081.
- (c) Respirator program. (i) The employer shall institute a respiratory protection program in accordance with WAC 296-24-081.
- (ii) Where air-purifying respirators (chemical cartridge or canister-type gas mask) are used, the air-purifying canister or cartridge(s) shall be replaced prior to the expiration of their service life or at the beginning of each shift, whichever occurs first. A label shall be attached to the cartridge or canister to indicate the date and time at which it is first installed on the respirator.
- (iii) The employer shall allow each employee who uses a filter respirator (cartridge or canister) to change the

filter elements whenever an increase in breathing resistance is detected and shall maintain an adequate supply of the filter elements necessary for this purpose.

- (iv) Employees who wear respirators shall be allowed to wash their faces and respirator facepieces to prevent potential skin irritation associated with respirator use.
- (9) Emergency situations. (a) Written plans. (i) A written plan for emergency situations shall be developed for each workplace where AN is present. Appropriate portions of the plan shall be implemented in the event of an emergency.
- (ii) The plan shall specifically provide that employees engaged in correcting emergency conditions shall be equipped as required in subsection (8) of this section until the emergency is abated.
- (b) Alerting employees. (i) Alarms. Where there is the possibility of employee exposure to AN in excess of the ceiling limit due to the occurrence of an emergency, a general alarm shall be installed and maintained to promptly alert employees of such occurrences.
- (ii) Evacuation. Employees not engaged in correcting the emergency shall be restricted from the area and shall not be permitted to return until the emergency is abated.
- (10) Protective clothing and equipment. (a) Provision and use. Where eye or skin contact with liquid AN or PAN may occur, the employer shall provide at no cost to the employee, and assure that employees wear, appropriate protective clothing or other equipment in accordance with WAC 296-24-07501 and WAC 296-24-07801 to protect any area of the body which may come in contact with liquid AN or PAN.
- (b) Cleaning and replacement. (i) The employer shall clean, launder, maintain, or replace protective clothing and equipment required by this subsection, as needed to maintain their effectiveness. In addition, the employer shall provide clean protective clothing and equipment at least weekly to each affected employee.
- (ii) The employer shall assure that the employee removes all protective clothing and equipment at the completion of a work shift and that an employee whose protective clothing becomes wet with liquid AN or PAN removes that clothing promptly to avoid skin contact with the liquid AN or PAN. Protective clothing shall be removed only in change rooms as required by subsection (14)(a) of this section.
- (iii) The employer shall assure that AN- or PAN-contaminated protective clothing and equipment is placed and stored in closable containers which prevent dispersion of the AN or PAN outside the container.
- (iv) The employer shall assure that no employee removes AN- or PAN-contaminated protective equipment or clothing from the change room, except for those employees authorized to do so for the purpose of laundering, maintenance, or disposal.
- (v) The employer shall inform any person who launders or cleans AN-or PAN-contaminated protective clothing or equipment of the potentially harmful effects of exposure to AN.
- (vi) The employer shall assure that containers of contaminated protective clothing and equipment which are to be removed from the workplace for any reason are labeled in accordance with subsection (16)(c)(ii) of this

- section, and that such labels remain affixed when such containers leave the employer's workplace.
- (11) Housekeeping. (a) Surfaces. (i) All surfaces shall be maintained free of accumulations of liquid AN and of PAN.
- (ii) Dry sweeping and the use of compressed air for the cleaning of floors and other surfaces where liquid AN and PAN are found is prohibited.
- (iii) Where vacuuming methods are selected, either portable units or a permanent system may be used.
- (A) If a portable unit is selected, the exhaust shall be attached to the general workplace exhaust ventilation system or collected within the vacuum unit, equipped with high efficiency filters or other appropriate means of contaminant removal, so that AN is not reintroduced into the workplace air; and
- (B) Portable vacuum units used to collect AN may not be used for other cleaning purposes and shall be labeled as prescribed by subsection (16)(c)(ii) of this section.
- (iv) Cleaning of floors and other contaminated surfaces may not be performed by washing down with a hose, unless a fine spray has first been laid down.
- (b) Liquids. Where AN is present in a liquid form, or as a resultant vapor, all containers or vessels containing AN shall be enclosed to the maximum extent feasible and tightly covered when not in use, with adequate provision made to avoid any resulting potential explosion hazard.
- (12) Waste disposal. AN and PAN waste, scrap, debris, bags, containers or equipment, shall be disposed of in sealed bags or other closed containers which prevent dispersion of AN outside the container, and labeled as prescribed in subsection (16)(c)(ii) of this section.
- (13) Hygiene facilities and practices. Where employees are exposed to airborne concentrations of AN above the permissible exposure limits, or where employees are required to wear protective clothing or equipment pursuant to subsection (11) of this section, or where otherwise found to be appropriate, the facilities required by WAC 296-24-12009 shall be provided by the employer for the use of those employees, and the employer shall assure that the employees use the facilities provided. In addition, the following facilities or requirements are mandated.
- (a) Change rooms. The employer shall provide clean change rooms in accordance with WAC 296-24-12011.
- (b) Showers. (i) The employer shall provide shower facilities in accordance with WAC 296-24-12009(3).
- (ii) In addition, the employer shall also assure that employees exposed to liquid AN and PAN shower at the end of the work shift.
- (c) Lunchrooms. (i) Whenever food or beverages are consumed in the workplace, the employer shall provide lunchroom facilities which have a temperature controlled, positive pressure, filtered air supply, and which are readily accessible to employees exposed to AN above the permissible exposure limits.
- (ii) In addition, the employer shall also assure that employees exposed to AN above the permissible exposure limits wash their hands and face prior to eating.

- (14) Medical Surveillance. (a) General. (i) The employer shall institute a program of medical surveillance for each employee who is or will be exposed to AN above the action level. The employer shall provide each such employee with an opportunity for medical examinations and tests in accordance with this subsection.
- (ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee.
- (b) Initial examinations. At the time of initial assignment, or upon institution of the medical surveillance program, the employer shall provide each affected employee an opportunity for a medical examination, including at least the following elements:
- (i) A work history and medical history with special attention to skin, respiratory, and gastrointestinal systems, and those non-specific symptoms, such as headache, nausea, vomiting, dizziness, weakness, or other central nervous system dysfunctions that may be associated with acute or chronic exposure to AN.
- (ii) A physical examination giving particular attention to central nervous system, gastrointestinal system, respiratory system, skin and thyroid.
 - (iii) A 14" x 17" posteroanterior chest x-ray.
- (iv) Further tests of the intestinal tract, including fecal occult blood and proctosigmoidoscopy, on all workers 40 years of age or older, and to any other affected employees for whom, in the opinion of the physician, such testing would be appropriate.
- (c) Periodic examinations. (i) The employer shall provide examinations specified in this subsection at least annually for all employees specified in subsection (14)(a) of this section.
- (ii) If an employee has not had the examinations prescribed in subsection (14)(b) of this section within six months of termination of employment, the employer shall make such examination available to the employee upon such termination.
- (d) Additional examinations. If the employee for any reason develops signs or symptoms commonly associated with exposure to AN, the employer shall provide appropriate examination and emergency medical treatment.
- (e) Information provided to the physician. The employer shall provide the following information to the examining physician:
 - (i) A copy of this standard and its appendices;
- (ii) A description of the affected employee's duties as they relate to the employee's exposure;
 - (iii) The employee's representative exposure level;
- (iv) The employee's anticipated or estamated exposure level (for preplacement examinations or in cases of exposure due to an emergency);
- (v) A description of any personal protective equipment used or to be used; and
- (vi) Information from previous medical examinations of the affected employee, which is not otherwise available to the examining physician.
- (f) Physician's written opinion. (i) The employer shall obtain a written opinion from the examining physician which shall include:

- (A) The results of the medical tests performed;
- (B) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at an increased risk of material impairment of the employee's health from exposure to AN;
- (C) Any recommended limitations upon the employee's exposure to AN or upon the use of protective clothing and equipment such as respirators; and
- (D) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions which require further examination or treatment.
- (ii) The employer shall instruct the physician not to reveal in the written opinion specific findings or diagnoses unrelated to occupational exposure to AN.
- (iii) The employer shall provide a copy of the written opinion to the affected employee.
- (15) Employee information and training. (a) Training program. (i) The employer shall institute a training program for all employees where there is occupational exposure to AN and shall assure their participation in the training program.
- (ii) The training program shall be provided at the time of initial assignment, or upon institution of the training program, and at least annually thereafter, and the employer shall assure that each employee is informed of the following:
- (A) The information contained in Appendices A, B and $C^{*(1)}$;
- (B) The quantity, location, manner of use, release or storage of AN and the specific nature of operations which could result in exposure to AN, as well as any necessary protective steps;
- (C) The purpose, proper use, and limitations of respirators;
- (D) The purpose and a description of the medical surveillance program required by subsection (14) of this section;
- (E) The emergency procedures developed, as required by subsection (9) of this section; and
- (F) The engineering and work practice controls, their function and the employee's relationship thereto; and
 - (G) A review of this standard.
- (b) Access to training materials. (i) The employer shall make a copy of this standard and its appendices readily available to all affected employees.
- (ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the Director.
- (16) Signs and labels. (a) General. (i) The employer may use labels or signs required by other statutes, regulations, or ordinances in addition to, or in combination with, signs and labels required by this subsection.
- (ii) The employer shall assure that no statement appears on or near any sign or label, required by this subsection, which contradicts or detracts from such effects of the required sign or label.
- (b) Signs. (i) The employer shall post signs to clearly indicate all workplaces where AN concentrations exceed the permissible exposure limits. The signs shall bear the following legend:

DANGER ACRYLONITRILE (AN) CANCER HAZARD AUTHORIZED PERSONNEL ONLY RESPIRATORS REQUIRED

- (ii) The employer shall assure that signs required by this subsection are illuminated and cleaned as necessary so that the legend is readily visible.
- (c) Labels. (i) The employer shall assure that precautionary labels are affixed to all containers of AN, and to containers of PAN and products fabricated from PAN, except for those materials for which objective data is provided as to the conditions specified in subsection (1)(b) of this section. The employer shall assure that the labels remain affixed when the AN or PAN are sold, distributed or otherwise leave the employer's workplace.
- (ii) The employer shall assure that the precautionary labels required by this subsection are readily visible and legible. The labels shall bear the following legend:

DANGER CONTAINS ACRYLONITRILE (AN) CANCER HAZARD

- (17) Recordkeeping. (a) Objective data for exempted operations. (i) Where the processing, use, and handling of products fabricated from PAN are exempted pursuant to subsection (1)(b) of this section, the employer shall establish and maintain an accurate record of objective data reasonably relied upon in support of the exemption.
- (ii) This record shall include the following information:
- (A) The relevant condition in subsection (1)(b) upon which exemption is based;
 - (B) The source of the objective data:
- (C) The results of testing and analysis of the material being processed;
 - (D) A description of the operation exempted; and
- (E) Other data relevant to the operations, materials, and processing covered by the exemption.
- (iii) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.
- (b) Exposure monitoring. (i) The employer shall establish and maintain an accurate record of all monitoring required by subsection (5) of this section.
 - (ii) This record shall include:
- (A) The dates, number, duration, and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure;
- (B) A description of the sampling and analytical methods used;
- (C) Type of respiratory protective devices worn, if any; and
- (D) Name, social security number and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent.
- (iii) The employer shall maintain this record for at least 40 years or the duration of employment plus 20 years, whichever is longer.

- (c) Medical surveillance. (i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by subsection (14) of this section.
 - (ii) This record shall include:
 - (A) A copy of the physicians' written opinions;
- (B) Any employee medical complaints related to exposure to AN;
- (C) A copy of the information provided to the physician as required by subsection (14)(f) of this section; and
 - (D) A copy of the employee's work history.
- (iii) The employer shall assure that this record be maintained for at least forty years or for the duration of employment plus twenty years, whichever is longer.
- (d) Availability. (i) The employer shall assure that all records required to be maintained by this section be made available upon request to the Director for examination and copying.
- (ii) The employer shall assure that employee exposure measurement records, as required by this section, be made available, upon request, for examination and copying to the affected employee, former employee, or designated representative.
- (iii) The employer shall assure that employee medical records required to be maintained by this section, be made available, upon request, for examination and copying, to the affected employee or former employee, or to a physician designated by the affected employee, former employee, or designated representative.
- (e) Transfer of records. (i) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by this section.
- (ii) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, these records shall be transmitted to the Director.
- (iii) At the expiration of the retention period for the records required to be maintained pursuant to this section, the employer shall transmit these records to the Director.
- (18) Observation of monitoring. (a) Employee observation. The employer shall provide affected employees, or their designated representatives, an opportunity to observe any monitoring of employee exposure to AN conducted pursuant to subsection (5) of this section.
- (b) Observation procedures. (i) Whenever observation of the monitoring of employee exposure to AN requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer with personal protective clothing or equipment required to be worn by employees working in the area, assure the use of such clothing and equipment, and require the observer to comply with all other applicable safety and health procedures.
- (ii) Without interfering with the monitoring, observers shall be entitled:
- (A) To receive an explanation of the measurement procedures;

- (B) To observe all steps related to the measurement of airborne concentrations of AN performed at the place of exposure; and
 - (C) To record the results obtained.
- (19) Effective Date. This standard will become effective 30 days after it is filed with the Code Reviser.
- *(1) Appendices printed in addition to this Section, and information contained therein is not intended, by itself, to create any additional obligations not otherwise imposed or to detract from any existing obligations.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

Reviser's Note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 296-62-07345 1,2-DIBROMO -3- CHLO-ROPROPANE. (1) Scope and Application. This section applies to all occupational exposures to 1,2-dibromo-3-chloropropane (DBCP), Chemical Abstracts Service Registry Number 96-12-8, except that this section does not apply to exposure to DBCP which results solely from the application and use of DBCP as a pesticide.

(2) Definitions Applicable to This Section:

- (a) "Authorized person" any person specifically authorized by the employer and whose duties require the person to be present in areas where DBCP is present; and any person entering this area as a designated representative of employees exercising an opportunity to observe employee exposure monitoring.
 - (b) "DBCP" 1,2-dibromo-3-chloropropane.
- (c) "Director" the Director of Labor and Industries, or his authorized representative.
- (3) Permissible Exposure Limits. (a) Inhalation. (i) Time-weighted average limit (TWA). The employer shall assure that no employee is exposed to an airborne concentration in excess of 10 parts DBCP per billion part of air (ppb) as an eight-hour time-weighted average.
- (ii) Ceiling limit. The employer shall assure that no employee is exposed to an airborne concentration in excess of 50 parts DBCP per billion parts of air (ppb) as averaged over any 15 minutes during the working day.
- (b) Dermal and eye exposure. The employer shall assure that no employee is exposed to eye or skin contact with DBCP.
- (4) Notification of Use. Within ten days of the effective date of this section or within ten days following the introduction of DBCP into the workplace, every employer who has a workplace where DBCP is present shall report the following information to the Director for each such workplace:
- (a) The address and location of each workplace in which DBCP is present;
- (b) A brief description of each process or operation which may result in employee exposure to DBCP;

- (c) The number of employees engaged in each process or operation who may be exposed to DBCP and an estimate of the frequency and degree of exposure that occurs:
- (d) A brief description of the employer's safety and health program as it relates to limitation of employee exposure to DBCP.
- (5) Exposure Monitoring. (a) General. Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to DBCP over an eight-hour period. (For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.)
- (b) Initial. Each employer who has a place of employment in which DBCP is present shall monitor, within thirty days of the effective date of this section, each workplace and work operation to accurately determine the airborne concentrations of DBCP to which employees may be exposed.
- (c) Frequency. (i) If the monitoring required by this section reveals employee exposures to be below the permissible exposure limits, the employer shall repeat these determinations at least quarterly.
- (ii) If the monitoring required by this section reveals employee exposure to be in excess of the permissible exposure limits, the employer shall repeat these determinations for each such employee at least monthly. The employer shall continue these monthly determinations until at least two consecutive measurements, taken at least seven days apart, are below the permissible exposure limit, thereafter the employer shall monitor at least quarterly.
- (d) Additional. Whenever there has been a production process, control or personnel change which may result in any new or additional exposure to DBCP, or whenever the employer has any other reason to suspect a change which may result in new or additional exposure to DBCP, additional monitoring which complies with subsection (5) shall be conducted.
- (e) Employee notification. (i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of results which represent the employee's exposure.
- (ii) Whenever the results indicate that employee exposure exceeds the permissible exposure limit, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action being taken to reduce exposure to or below the permissible exposure limits.
- (f) Accuracy of measurement. The method of measurement shall be accurate, to a confidence level of 95 percent, to within plus or minus 25 percent for concentrations of DBCP at or above the permissible exposure limits.
- (6) Methods of Compliance. The employer shall control employee exposures to airborne concentrations of DBCP to within the permissible exposure limit, and shall protect against employee exposure to eye or skin contact with DBCP by engineering controls, work practices and personal protective equipment.

- (a) Engineering controls. The employer shall develop and implement, as soon as possible, feasible engineering controls to reduce the airborne concentrations of DBCP to within the permissible exposure limits.
- (b) Work practices. The employer shall examine each work area in which DBCP is present and shall institute, as soon as possible, work practices to reduce employee exposure to DBCP. The work practices shall be described in writing and shall include, among other things, the following mandatory work practices:
- (i) Limiting access to work areas where DBCP is present to authorized personnel only;
- (ii) Prohibiting smoking and the consumption of food and beverages in work areas where DBCP is present; and
- (iii) Establishing good maintenance and housekeeping practices including the prompt cleanup of spills, repair of leaks, and the practices required in subsection (9) of this section.
- (c) Respiratory protection. Where engineering and work practice controls are not sufficient to reduce employee exposures to airborne concentrations of DBCP to within the permissible exposure limits, the employer shall provide at no cost to the employee, and assure that employees wear respirators in accordance with subsection (7) of this section.
- (d) Engineering and work practice control plan. (i) Within ninety days of the effective date of this section, the employer shall develop a written plan describing proposed means to reduce employee exposures to DBCP to the lowest feasible level solely by means of engineering and work practice controls.
- (ii) Written plans required under subsection (6)(d) shall be submitted upon request to the Director, and shall be available at the worksite for examination and copying by the Director, and any affected employee or designated representative of employees.
- (7) Respirators. (a) Required use. The employer shall assure that respirators are used where required under this section to reduce employee exposure to within the permissible exposure limits, and in emergencies.
- (b) Respirator selection. (i) Where respirators are used to reduce employee exposures to within the permissible exposure limit and in emergencies, the employer shall select and provide, at no cost to the employee, the appropriate respirator from Table I and shall assure that the employee wears the respirator provided.
- (ii) The employer shall select respirators from among those approved by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of WAC 296-24-081.

TABLE I

RESPIRATORY PROTECTION FOR DBCP RESPIRATORY PROTECTION

Concentration not greater than:

100 ppb:

Any chemical cartridge respirator with pesticide cartridge(s).

Any supplied-air respirator.

Any self-contained cartridge breathing apparatus.

500 ppb:

A chemical cartridge respirator with full facepiece and pesticide cartridge(s).

A gas mask with full facepiece and pesticide canister.

Any supplied-air respirator with full facepiece, helmet or hood.

Any self-contained breathing apparatus with full facepiece.

5,000 ppb:

A Type C supplied—air respirator operated in pressure—demand or other positive pressure or continuous flow mode.

20,000 ppb:

A Type C supplied-air respirator with full facepiece operated in pressure-demand or other positive pressure mode, or with full facepiece, hood or helmet operated in continuous flow mode.

Greater than 20,000 ppb or entry and escape from unknown concentrations:

- A combination respirator which includes a Type C supplied-air respirator with full facepiece operated in pressure-demand or other positive pressure or continuous flow mode and an auxiliary self-contained breathing apparatus operated in pressure-demand or positive pressure mode.
- A self-contained breathing apparatus with full facepiece operated in pressuredemand or other positive pressure mode.

Firefighting:

- A self-contained breathing apparatus with full facepiece operated in pressuredemand or other positive pressure mode.
- (c) Respirator program. (i) The employer shall institute a respiratory protection program in accordance with WAC 296-24-081.
- (ii) Where air-purifying respirators (chemical cartridge or gas mask) are used, the air-purifying canister or cartridge(s) shall be replaced prior to the expiration of their service life or the beginning of each shift, whichever occurs first.
- (iii) Employees who wear respirators shall be allowed to wash their face and respirator facepiece to prevent potential skin irritation associated with respirator use.
- (8) Protective Clothing and Equipment. (a) Provision and use. Where eye or skin contact with liquid or solid DBCP may occur, employers shall provide at no cost to the employee, and assure that employees wear impermeable protective clothing and equipment in accordance with WAC 296-24-07501 and 296-24-07801 to protect the area of the body which may come in contact with DBCP.

(b) Cleaning and replacement. (i) The employer shall clean, launder, maintain, or replace protective clothing and equipment required by this subsection to maintain their effectiveness. In addition, the employer shall provide clean protective clothing and equipment at least daily to each affected employee.

(ii) The employer shall assure that the employee removes all protective clothing and equipment at the com-

pletion of a workshift.

- (iii) The employer shall assure that DBCP-contaminated protective work clothing and equipment is placed and stored in closed containers which prevent dispersion of DBCP outside the container.
- (iv) The employer shall inform any person who launders or cleans DBCP-contaminated protective clothing or equipment of the potentially harmful effects of exposure to DBCP.
- (v) The employer shall assure that the containers of contaminated protective clothing and equipment which are to be removed from the workplace for any reason are labeled in accordance with subsection (13)(c) of this section.
- (vi) The employer shall prohibit the removal of DBCP from protective clothing and equipment by blowing or shaking.
- (9) Housekeeping. (a) Surfaces. (i) All surfaces shall be maintained free of accumulations of DBCP.
- (ii) Dry sweeping and the use of air for the cleaning of floors and other surfaces where DBCP dust or liquids are found is prohibited.
- (iii) Where vacuuming methods are selected, either portable units or a permanent system may be used.
- (A) If a portable unit is selected, the exhaust shall be attached to the general workplace exhaust ventilation system or collected within the vacuum unit, equipped with high efficiency filters or other appropriate means of contaminant removal, so that DBCP is not reintroduced into the workplace air; and
- (B) Portable vacuum units used to collect DBCP may not be used for other cleaning purposes and shall be labeled as prescribed by subsection (13)(c) of this section.
- (iv) Cleaning of floors and other contaminated surfaces may not be performed by washing down with a hose, unless a fine spray has first been laid down.
- (b) Liquids. Where DBCP is present in a liquid form, or as a resultant vapor, all containers or vessels containing DBCP shall be enclosed to the maximum extent feasible and tightly covered when not in use.
- (c) Waste disposal. DBCP waste, scrap, debris, bags, containers or equipment, shall be disposed in sealed bags or other closed containers which prevent dispersion of DBCP outside the container.
- (10) Hygiene Facilities and Practices. Hygiene facilities shall be provided and practices implemented in accordance with the requirements of WAC 296-24-12009.
- (11) Medical Surveillance. (a) General. The employer shall institute a program of medical surveillance for each employee who is or will be exposed, without regard to the use of respirators, to DBCP. The employer shall provide each such employee with an opportunity for medical examinations and tests in accordance with this subsection. All medical examinations and procedures

shall be performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee.

(b) Frequency and content. Within 30 days of the effective date of this section or time of initial assignment, and whenever exposure to DBCP, the employer shall provide a medical examination including at least the following:

(i) A complete medical and occupational history with

emphasis on reproductive history.

- (ii) A complete physical examination with emphasis on the genito-urinary tract, testicle size, and body habitus including the following tests:
 - (A) Sperm count;
 - (B) Complete urinalysis (U/A);
 - (C) Complete blood count; and
 - (D) Thyroid profile.
- (iii) A serum specimen shall be obtained and the following determinations made:
 - (A) Serum multiphasic analysis (SMA 12);
 - (B) Serum testosterone;
 - (C) Serum follicle stimulating hormone (FSH);
 - (D) Serum luteinizing hormone (LH).
- (c) Information provided to the physician. The employer shall provide the following information to the examining physician:
 - (i) A copy of this standard and its appendices;
- (ii) A description of the affected employee's duties as they relate to the employee's exposure;
- (iii) The level of DBCP to which the employee is exposed; and
- (iv) A description of any personal protective equipment used or to be used.
- (d) Physician's written opinion. (i) The employer shall obtain a written opinion from the examining physician which shall include:
 - (A) The results of the medical tests performed;
- (B) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at an increased risk of material impairment of health from exposure to DBCP;
- (C) Any recommended limitations upon the employee's exposure to DBCP or upon the use of protective clothing and equipment such as respirators; and
- (D) A statement that the employee was informed by the physician of the results of the medical examination, and any medical conditions which require further examination or treatment.
- (ii) The employer shall instruct the physician not to reveal in the written opinion specific findings or diagnoses unrelated to occupational exposure to DBCP.
- (iii) The employer shall provide a copy of the written opinion to the affected employee.
- (12) Employee Information and Training. (a) Training program. (i) Within thirty days of the effective date of this standard, the employer shall institute a training program for all employees who may be exposed to DBCP and shall assure their participation in such training program.
- (ii) The employer shall assure that each employee is informed of the following:

- (A) The information contained in Appendices A, B and $C^{*(1)}$;
- (B) The quantity, location, manner of use, release or storage of DBCP and the specific nature of operations which could result in exposure to DBCP as well as any necessary protective steps;
- (C) The purpose, proper use, and limitations of respirators;
- (D) The purpose and description of the medical surveillance program required by subsection (11) of this section: and
 - (E) A review of this standard.
- (b) Access to training materials. (i) The employer shall make a copy of this standard and its appendices readily available to all affected employees.
- (ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the Director.
- (13) Signs and Labels. (a) General. (i) The employer may use labels or signs required by other statutes, regulations, or ordinances in addition to or in combination with, signs and labels required by this subsection.
- (ii) The employer shall assure that no statement appears on or near any sign or label required by this subsection which contradicts or detracts from the required sign or label.
- (b) Signs. (i) The employer shall post signs to clearly indicate all work areas where DBCP may be present. These signs shall bear the legend:

DANGER

1,2-Dibromo-3-chloropropane

(Insert appropriate trade or common names)

CANCER HAZARD

AUTHORIZED PERSONNEL ONLY

(ii) Where airborne concentrations of DBCP exceed the permissible exposure limits, the signs shall bear the additional legend:

RESPIRATOR REQUIRED

- (c) Labels. (i) The employer shall assure that precautionary labels are affixed to all containers of DBCP and of products containing DBCP, and that the labels remain affixed when the DBCP or products containing DBCP are sold, distributed, or otherwise leave the employer's workplace. Where DBCP or products containing DBCP are sold, distributed or otherwise leave the employer's workplace bearing appropriate labels required by EPA under the regulations in 40 CFR Part 162, the labels required by this subsection need not be affixed.
- (ii) The employer shall assure that the precautionary labels required by this subsection are readily visible and legible. The labels shall bear the following legend:

DANGER

1,2-Dibromo-3-chloropropane

CANCER HAZARD

- (14) Recordkeeping. (a) Exposure monitoring. (i) The employer shall establish and maintain an accurate record of all monitoring required by subsection (5) of this section.
 - (ii) This record shall include:
- (A) The dates, number, duration and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure;
- (B) A description of the sampling and analytical methods used;
 - (C) Type of respiratory worn, if any; and
- (D) Name, social security number, and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent.
- (iii) The employer shall maintain this record for the effective period of this standard.
- (b) Medical surveillance. (i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance required by subsection (11) of this section.
 - (ii) This record shall include:
 - (A) A copy of the physician's written opinion.
- (B) Any employee medical complaints related to exposure to DBCP;
- (C) A copy of the information provided the physician as required by subsection (11)(c) of this section; and
 - (D) A copy of the employee's work history.
- (iii) The employer shall assure that this record be maintained for the effective period of this standard.
- (c) Availability. (i) The employer shall assure that all records required to be maintained by this section be made available upon request to the Director for examination and copying.
- (ii) The employer shall assure that employee exposure monitoring records required by this section be made available upon request, for examination and copying to the affected employee or former employee, and their designated representatives.
- (iii) The employer shall assure that employee medical records required to be maintained by this section be made available, upon request, for examination and copying to the affected employee or former employee, or to a physician designated by the affected employee or former employee or designated representative.
- (15) Observation of Monitoring. (a) Employee observation. The employer shall provide affected employees, or their designated representatives, an opportunity to observe any monitoring of employee exposure to DBCP conducted under subsection (5) of this section.
- (b) Observation procedures. (i) Whenever observation of the measuring or monitoring of employee exposure to DBCP requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer with personal protective clothing or equipment required to be worn by employees working in the area, assure the use of such clothing and

equipment, and require the observer to comply with all other applicable safety and health procedures.

- (ii) Without interfering with the monitoring or measurement, observers shall be entitled to:
- (A) Receive an explanation of the measurement procedures;
- (B) Observe all steps related to the measurement of airborne concentrations of DBCP performed at the place of exposure; and
 - (C) Record the results obtained.
- (16) Effective Date. This standard will become effective 30 days after it is filed with the Code Reviser.
- *(1) Appendices printed in addition to this Section, and information contained therein is not intended, by itself, to create any additional obligations not otherwise imposed or to detract from any existing obligations.

WSR 78-08-001 NOTICE OF PUBLIC MEETINGS URBAN ARTERIAL BOARD [Memorandum—July 6, 1978]

Beginning at 9:30 a.m., Thursday, July 20, 1978

- 1) Minutes of UAB meeting, May 18, 1978
- 2) Report of Chairman
- 3) Apportionment of funds deposited into the Urban Arterial Trust Account
- 4) Allocation of urban arterial trust funds to previously authorized projects
- 5) Review estimated cash requirements for urban arterial trust funds through March 1979
- 6) Review requests for deviation from UAB design standards
- 7) Proposed authorization of urban arterial trust funds for preliminary proposal projects within federal urban and non-federal urban areas
- 8) Report on completed audits of urban arterial projects
- 9) Report on changes in project scope approved by Chairman
- 10) Report on increases in urban arterial trust funds approved by Chairman

WSR 78-08-002 NOTICE OF PUBLIC MEETINGS STATE HEALTH COORDINATING COUNCIL [Memorandum, Exec. Sec'y.—July 6, 1978]

The State Health Coordinating Council, which was established in the State of Washington by Executive Order 77–12 and activated by appointments of 27-members effective January 1, 1978, has adopted the following calendar for Calendar Year 1978:

FULL COUNCIL MEETINGS:

*February 21, 1978 Organizational
April 18, 1978

*May 16, 1978 Election of Officers
June 20, 1978

*September 19, 1978 Officer Nominations
for CY 1979

*November 21, 1978 Election of Officers

EXECUTIVE COMMITTEE MEETINGS:

May 31, 1978 1 PM August 1, 1978 1 PM October 1, 1978 1 PM

OTHER COMMITTEES:

Other committees will be convening throughout the year, but schedules have not been announced.

Questions concerning location of meeting, agenda or other inquiries about the State Health Coordinating Council may be addressed to:

Thelma Vinyard
Executive Secretary
State Health Coordinating Council
Tumwater Airdustrial Park
Building 11, Mail Stop LL-17
Olympia, Washington 98504
TELEPHONE: 206: 753-9659

* Indicates the quarterly meetings required by Public Law 93-641.

WSR 78-08-003 EMERGENCY RULES DEPARTMENT OF FISHERIES [Order 78-46—Filed July 6, 1978]

- I, Gordon Sandison, director of Fisheries, do promulgate and adopt at Olympia, Washington the annexed rules relating to commercial herring fishing regulations.
- I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is herring in Puget Sound are currently in a depressed state. This Order is necessary to conserve the remaining stocks.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 6, 1978.

By Gordon Sandison Director

NEW SECTION

WAC 220-49-02000C HERRING SEASONS, GEAR (1) Notwithstanding the provisions of WAC 220-49-020, effective immediately until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess for commercial purposes herring, candlefish, anchovy or pilchards in the following Puget Sound Marine Shellfish Management and Catch Reporting areas except as hereinafter provided:

(a) Areas 22A, 22B, and 23 - Open entire year with drag seine, purse seine, lampara, and dip bag net for

human consumption or bait only.

(b) Areas 24A, 24B, 25A, 25B, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, and 28D – Open entire year, with drag seine, lampara, or dip bag net, for human consumption or bait only.

(2)

(a) Lawful lampara gear in the above designated areas shall not exceed 200 feet in length or contain meshes less than 1/2-inch stretch measure.

(b) Lawful purse seine gear in Areas 22A, 22B and 23 shall not exceed 600 feet in length or contain meshes less than 1/2-inch stretch measure.

WSR 78-08-004 EMERGENCY RULES DEPARTMENT OF FISHERIES

[Order 78-47-Filed July 6, 1978]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington the annexed rules relating to commercial

herring fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the effects of an offshore herring fishery on currently depressed Puget Sound herring stocks is unknown. This order is necessary to prevent the initiation of such a fishery until studies of its effects can be completed.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 6, 1978.

By Gordon Sandison Director

NEW SECTION

WAC 220-44-02000A CLOSED AREA - HER-RING Notwithstanding the provisions of WAC 220-44-020, effective immediately until further notice, it shall be unlawful to take, fish for or possess herring for commercial purposes in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A and that portion of Area 58 within the United States 200 mile fishery conservation zone with any type of gear.

WSR 78-08-005 EMERGENCY RULES DEPARTMENT OF FISHERIES [Order 78-48-Filed July 6, 1978]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington the annexed rules relating to personal use fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the Hoh River summer chinook run appears substantially improved. This Order permits retention of one salmon over 24 inches.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 6, 1978.

By Gordon Sandison Director

NEW SECTION

WAC 220-57-27000A HOH RIVER Notwithstanding the provisions of WAC 220-57-270, effective July 8 through August 6, 1978, it shall be lawful to take, fish for or possess salmon for personal use by angling in that portion of the Hoh River downstream from a marker approximately a quarter mile above Highway 101 bridge. BAG LIMIT: Six salmon not less than 10 inches, not more than one of which may exceed 24 inches in length. Possession limit of fresh salmon is the same as the daily bag limit.

WSR 78-08-006 EMERGENCY RULES DEPARTMENT OF NATURAL RESOURCES [Order 295—Filed July 7, 1978]

I, Bert L. Cole, director of Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington 98504, the annexed rules relating to the adoption of an emergency rule describing hazardous areas protected by the Department of Natural Resources which are closed to entry from midnight July 7, 1978 through midnight October 5, 1978, WAC 332-26-010 through 332-26-050 and 332-26-070.

I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the above—described forest areas contain an abnormal concentration of forest fuels and because of the the usual summer increase in drying conditions, are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.140 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 7, 1978.

By Bert L. Cole Commissioner of Public Lands

NEW SECTION

WAC 332-26-010 SOUTHWEST AREA CLO-SURES. Cowlitz, Skamania and Wahkiakum Counties. Cowlitz County, Lake Merrill Area, beginning at the East 1/4 corner of Section 22, Township 7 North, Range 4 East, W.M., thence North 3/4 mile, West 1 mile, South approximately 5/8 mile to the North shoulder of the Weyerhaeuser Company 7200 Road, thence Southeasterly along the North shoulder of the Weyerhaeuser Company 7200 Road to its junction with the Center section line of Section 22, Township 7 North, Range 4 East, W.M., thence East approximately 3/4 mile to the point of beginning. ALSO, all of Section 9, Township 7 North, Range 4 East, W.M., lying East of the Weyerhaeuser Company 7500 Road. North of the Spirit Lake Highway, all of Section 3, Township 9

North, Range 4 East, W.M., lying North of the Spirit Lake Highway (Highway 504). Elk Lake, beginning at the center 1/4 corner of Section 25, Township 10 North, Range 4 East, of the Willamette Meridian, thence north 1 1/2 to the north 1/4 corner of Section 24, Township 10 North, Range 4 East, thence west 1/2 mile to the southwest corner of Section 13, Township 10 North, Range 4 East, thence north 1 mile, thence east 1 mile to the northeast corner of Section 13, Township 10 North, Range 4 East, thence south approximately 2 1/2 miles to the east 1/4 corner of Section 25, Township 10 North, Range 4 East, thence west 1/2 mile to the point of beginning. Lakeview Peak, beginning at the northwest corner of Section 30, Township 7 North, Range 3 East, thence in a northeasterly direction along the south shore of the Kalama River for approximately 6 miles to the south 1/16 corner of Section 12, Township 7 North, Range 3 East, thence east 1 mile to the south 1/16 corner of Section 7, Township 7 North, Range 4 East, thence south 1 1/4 mile to the southeast corner of Section 18, Township 7 North, Range 4 East, thence east 1 mile, thence south 1 mile, thence west 2 miles, thence south 1 mile to the southeast corner of Section 25, Township 7 North, Range 3 East, thence west 1 mile. thence south 1 mile to the southwest corner of Section 36, Township 7 North, Range 3 East, thence west for approximately 2 3/4 miles to the northeast shoulder of the Weyerhaeuser 6600 Road, thence northwesterly along the northeast shoulder of the Weyerhaeuser 6600 Road for approximately 2 1/4 miles to the west line of Section 30, Township 7 North, Range 3 East, thence north for approximately 1 mile to the point of beginning.

Skamania County, all of Section 7, Township 10 North, Range 5 East. Except, the Trade Dollar, Fawn Lake and Elk Lake trails are open to the public and these trails are corridored for public access. Cold Water, beginning at the southwest corner of Section 7, Township 9 North, Range 5 East, thence north 1 mile, thence east 1 mile, thence north 1 mile, thence west 1 mile to the southwest corner of Section 31, Township 10 North, Range 5 East, thence north 1/2 mile, thence east 2 miles to the east 1/4 corner of Section 32, Township 10 North, Range 5 East, thence south for 1 1/2 miles, thence west 1 mile, thence south 1 mile to the southeast corner of Section 7, Township 9 North, Range 5 East, thence west 1 mile to the point of beginning. Except, the Cold Water U.S. Forest Service N-928 and the U.S. Forest Service St. Helens lake trail is a corridor for public access.

Wahkiakum County, KM Unit, beginning at the Northeast corner of Section 14, Township 10 North, Range 7 West, W.M., which lies on the South bank of Fossil Creek, thence Northwesterly along the South bank of Fossil Creek to its junction with the West section line of Section 10, Township 10 North, Range 7 West, W.M., thence South approximately 1/2 mile to the North shoulder of the Ocean Beach Highway (State Highway 4), thence Southeasterly along the North shoulder of said Highway 4 to its junction with the Crown Zellerbach 800 Road to its junction with the East section line of Section 14,

Township 10 North, Range 7 West, W.M., thence North approximately 1/2 mile to the point of beginning.

When, in the opinion of the Area Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he may suspend this Notice by issuing a news release to the newspapers of general circulation in the area and to radio and television station serving the area, specifying the date and time of the suspension and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Area Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above described areas against fire the following rule will be enforced: Entry into this area is prohibited except as provided by law with reference to permanent residents and industrial operations.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective from midnight, July 7, 1978 to midnight, October 5, 1978.

NEW SECTION

OLYMPIC AREA WAC 332-26-020 SURES Clallam, Jefferson and Grays Harbor Counties. Jefferson County, Township 25 North, Range 12 West: NE1/4, N1/2SE1/4 of Section 1; W1/2, W1/2E1/2 of Section 4; All except SW1/4SW1/4 of Section 5; NE1/4, S1/2NW1/4, N1/2S1/2 of Section 6; N1/2NW1/4 of Section 9. Township 25 North, Range 13 West: N1/2, SE1/4, SE1/4SW1/4 of Section 1; N1/2, N1/2SW1/4 of Section 2, NE1/4, N1/2SE1/4, N1/2NW1/4, SW1/4 of Section 3; NW1/4, S1/2 of Section 4; E1/2, NW1/4NW1/4 of Section 9; S1/2N1/2 of Section 10, N1/2S1/2 of Section 11; N1/2NE1/4NW1/4, N1/2NW1/4NE1/4 of Section 12. Township 26 North, Range 12 West: SE1/4, E1/2SW1/4 of Section 23; N3/4SW1/4 of Section 24; W1/2SW1/4, SE1/4SW1/4, E1/2 of Section 26; S1/2SE1/4 of Section 27; All of Section 31; N1/2NE1/4, SE1/4NE1/4, NE1/4SE1/4, S1/2SE1/4 of Section 32; S1/2SW1/4 of Section 33; E1/2NE1/4 of Section 34; W1/2NW1/4, SE1/4, E1/2NE1/4, E1/2SW1/4 of Section 35; W1/2NW1/4, E1/2SW1/4, SW1/4SW1/4 of Section 36. Township 26 North, Range 13 West: SE1/4, SE1/4SW1/4 of Section 7; N1/2 of Section 17; N1/2 of Section 18; All except N1/2NW1/4 of Section 25; S1/2NE1/4, S1/2 of Section 26; NE1/4, NE1/4SE1/4 of Section 34; All of Section 35; NW1/4NW1/4, NE1/4NE1/4 of Section 36.

Clallam County, Township 30 North, Range 14 West: W1/2NW1/4, NW1/4SW1/4, W1/2NE1/4, NE1/4NW1/4 of Section 6. Township 30 North, Range 15 West: N1/2, SW1/4 of Section 1; E1/2NE1/4,

NE1/4SE1/4 of Section 2; N1/2 of Section 12. Township 31 North, Range 14 West: SW1/4SW1/4 of Section 6; W1/2E1/2, W1/2W1/2 of Section 7; NE1/4, N1/2SE1/4 of Section 18. Township 31 North, Range 15 West: W1/2, SE1/4 of Section 1; E1/2NE1/4, E1/2SW1/4, W1/2W1/2 of Section 2; NE1/4N1/2NE1/4NW1/4, E1/2SE1/4, W1/2SW1/4 of Section 3; All of Section 4; E1/2NE1/4, S1/2 of Section 5; E1/2NE1/4 of Section 6; NE1/4, NE1/4NW1/4 of Section 9, NE1/4NE1/4 of Section 10, W1/2NE1/4, E1/2W1/2, NW1/4NW1/4, SE1/4 of Section 11; E1/2, E1/2W1/2 of Section 12; All of Section 13; E1/2, E1/2W1/2, NW1/4NW1/4 of Section 14; N1/2NE1/4 of Section 23; N1/2 of Section 24. Township 32 North, Range 15 West: Lot 1, 2, 3, S1/2 of Section 17; SE1/4 of Section 19; S1/2, S1/2NW1/4 of Section 20, W1/2 South of Sooes River of Section 25; E1/2 South of Sooes River of Section 26; SW1/4NE1/4, NW1/4SE1/4, W1/2 of Section 28; All of Section 29, E1/2, SE1/4NW1/4, E1/2SW1/4 of Section 30, E1/2, E1/2SW1/4 of Section 31; All of Section 32; SW1/4, W1/2SE1/4 of Section 33; S1/2SE1/4SW1/4 of Section 34; N1/2, SE1/4 of Section 35: W1/2 of Section 36.

GRAYS HARBOR AND JEFFERSON COUNTIES All the area in the Quinault Indian Reservation north of the Quinault River in Grays Harbor and Jefferson Counties, except the portion described as Township 23 North, Range 9 West and Range 10 West, and Township 22 North, Range 10 West.

This rule will not apply to Indian people of the Quinault tribe under trust status.

When, in the opinion of the Area Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he may suspend this Notice by issuing a news release to the newspapers of general circulation in the area and to radio and television stations serving the area, specifying the date and time of the suspension, and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Area Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above described areas against fire the following rule will be enforced: Entry into this area is prohibited except as provided by law with reference to permanent residents and industrial operations.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective from midnight July 7, 1978 to midnight October 5, 1978.

NEW SECTION

WAC 332-26-030 NORTHEAST AREA CLO-SURES Stevens County. Stevens County, Township 30 North, Range 39 East: SE1/4NW1/4, SW1/4NE1/4 of Section 4; All of Section 5; All of Section 6; All of Section 7; W1/2W1/2, SE1/4SW1/4, S1/2SE1/4 of Section 8; NE1/4NE1/4 of Section 9; N1/2 of Section 17; NE1/4 of Section 18. Township 30 North, Range 42 East: W1/2E1/2SW1/4, NE1/4NW1/4, S1/2NW1/4 of Section 8. Township 38 North, Range 40 East: All of Section 11; S1/2N1/2, S1/2 of Section 12; All of Section 13; All of Section 14; S1/2, E1/2NE1/4 of Section 15; SE1/4 of Section 21; N1/2, N1/2SW1/4, SE1/4SW1/4, SE1/4 of Section 22, N1/2N1/2, SW1/4NW1/4, NW1/4SW1/4, S1/2S1/2 of Section 23; All Of Section 24; N1/2N1/2, S1/2NW1/4, NW1/4SW1/4 of Section 25; N1/2, NW1/4SW1/4 of Section 26; E1/2, E1/2W1/2 of Section 27; N1/2N1/2, SE1/4NW1/4, SW1/4, W1/2SE1/4, SW1/4NE1/4 of Section 28. Township 38 North, Range 41 East: S1/2, Lot 2 of Section 7; NW1/4SW1/4 of Section 8; Lots 1, 2, 3, 4, W1/2NE1/4, W1/2SE1/4 of Section 18; W1/2NE1/4, Lots 1, 2, 3 of Section 19. Township 39 North, Range 37 East: W1/2SW1/4, SW1/4NW1/4 of Section 13; E1/2SE1/4, SE1/4NE1/4, NW1/4SE1/4, SE1/4NW1/4 of Section 14; NE1/4NE1/4 of Section NW1/4SE1/4, N1/2NW1/4, S1/2S1/2, NW1/4NE1/4 of Section 24; All of Section 25; E1/2 less NW1/4NE1/4 of Section 26. Township 39 North, Range 38 East: SE1/4SE1/4 of Section 17; E1/2, E1/2SW1/4, SE1/4NW1/4 of Section 20, W1/2W1/2, E1/2NW1/4, NE1/4SW1/4 of Section $N\dot{W}1/4N\dot{W}1/4$ of Section 28; E1/2NE1/4, NW1/4NE1/4, NE1/4SE1/4 of Section 29. Township 39 North, Range 41 East: SE1/4 of Section 11; N1/2 So. of Silver Cr. Rd., SW1/4, W1/2SE1/4, N1/2NE1/4SE1/4 of Section 12; N1/2NW1/4, SE1/4NW1/4, W1/2NE1/4, SE1/4NE1/4, SW1/4, N1/2SE1/4, SW1/4SE1/4 of Section 13; NE1/4, E1/2SE1/4. SW1/4SE1/4 of Section NW1/4NE1/4 of Section 23; All of Section 24; All of Section 25; E1/2 of Section 26.

When, in the opinion of the Area Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he may suspend this Notice by issuing a news release to the newspapers of general circulation in the area and to radio and television stations serving the area, specifying the date and time of the suspension, and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Area Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above-described areas against fire, the following rule will be enforced: Entry into this area is prohibited except as provided by law with reference to permanent residents and industrial operations.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective from midnight July 7, 1978 to midnight October 5, 1978.

NEW SECTION

WAC 332-26-040 CENTRAL AREA CLO-SURES Pacific and Lewis Counties. Pacific County, Pacific District, Township 9 North, Range 9 West: All of Sections 1, 2 and 4; Portion W1/2 of Section 18. Township 9 North, Range 10 West: All of Section 12; portion NE1/4NE1/4 of Section 13. Township 10 North, Range 9 West: All of Section 17 lying west of Highway 401; all of Section 18 except N1/2SW1/4; all of Section 20 west of Highway 401; SW1/4, portion of SW1/4NW1/4 of Section 21; W1/2, SE1/4, portion of SW1/4NE1/4 of Section 25; all of Sections 26 and 27; all except portion lying between Highway 401 and Burnham Creek Road of Section 28; all lying east of Highway 401 except S1/2NE1/4 of Section 33; all of Sections 34 and 35; SW1/4, portion E1/2 of Section 36. Township 11 North, Range 6 West: All of Section 6. Township 11 North, Range 7 West: All of Section 1; E1/2 of Section 8; all of Sections 9 and 10, W1/2, NE1/4 of Section 15. Township 12 North, Range 6 West: W1/2, SE1/4 of Section 26; all of Sections 32, 33, 34 and 35.

Lewis County, Lewis District, Township 11 North, Range 5 West: All of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26 and 27. Township 12 North, Range 4 West: W1/2NW1/4 of Section 8; all of Sections 7 and 18. Township 12 North, Range 5 West: All of Section 27; all except NW1/4 of Section 28; all of Section 29; S1/2 of Section 30, all of Sections 31, 32, 33, 34, and 35. Tilton District, Township 13 North, Range 2 East: All of Section 1; all except W1/2SW1/4 of Section 2; all of Sections 11 and 12; N1/2, N1/2SE1/4 of Section 13. Township 13 North, Range 3 East: All of Sections 5, 7, 13, 17 and 18. Township 13 North, Range 4 East: N1/2, NW1/4SW1/4 of Section 19. Township 13 North, Range 5 East: All west of Highway 7 of Section 5. Township 13 North, Range 7 East: N1/2N1/2 of Section 3; all of Section 4; portion NE1/4SW1/4, SE1/4 of Section 5; portion of N1/2N1/2, SW1/4NE1/4, SE1/4NW1/4 of Section 8; portion N1/2, E1/2SE1/4 of Section 9. Township 14 North, Range 2 East: S1/2 of Section 35. Township 14 North, Range 3 East: All except N1/2NW1/4 of Section 29, all of Section 31. Township 14 North, Range 5 East: Portion E1/2SE1/4 of Section 20, all of Sections 21 and 22, all south of Mineral 1 Road of Sections 23 and 25; all of Sections 26 and 27; all except SW1/4 of Section 28; all west of Highway 7 in Section 29, all of Sections 31 and 33; all except SW1/4 of Section 34; all of Section 35.

When, in the opinion of the Area Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he may suspend this Notice by issuing a news release to the newspapers of general circulation in the area and to radio and television stations serving the area, specifying the date and time of the suspension, and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Area Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above-described areas against fire, the following rule will be enforced:

Entry into this area is prohibited except as provided by law with reference to permanent residents and industrial operations.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective from midnight July 7, 1978 to midnight October 5, 1978.

NEW SECTION

WAC 332-26-050 NORTHWEST AREA CLO-SURES Whatcom, Skagit and Snohomish Counties. Whatcom County, Township 40 North, Range 6 East: Portion of the S1/2 of Section 1; E1/2SE1/4 of Section 2. Township 39 North, Range 7 East: W1/2NE1/4, E1/2NW1/4 of Section 29, E1/2SW1/4 of Section 30. North, Range 6 East: SE1/4. Township 39 SE1/4NW1/4, NE1/4SW1/4, NE1/4 of Section 29, NW1/4NW1/4 of Section 33. Township 38 North, Range 6 East: E1/2NE1/4, NE1/4SE1/4 of Section 2; W1/2SE1/4 of Section 19, SE1/4NE1/4 of Section 23; SW1/4NW1/4, S1/2, SE1/4NE1/4 of Section 24. Township 38 North, Range 5 East: SW1/4 Between mid Fork Road and Porter Creek of Section 12: NE1/4NW1/4, NW1/4NE1/4 of Section 13. Township 38 North, Range 4 East: W1/2 of Section 10, W1/2 of Section 15. Township 38 North, Range 4 East: S1/2NW1/4, N1/2SW1/4 and portion of the W1/2SW1/4NE1/4 of Section 26. Township 37 North, Range 6 East: S1/2SE1/4, S1/2SW1/4 of Section 5; W1/2NE1/4, NW1/4, N1/2SW1/4, close road N4470 but not road N4400 of Section 8.

Skagit County, Township 36 North, Range 9 East: S1/2SW1/4, SW1/4SE1/4 of Section 20, NW1/4, W1/2NE1/4, W1/2SW1/4 of Section 29. Township 36 North, Range 8 East: S1/2SW1/4 of Section 8; E1/2SE1/4, SW1/2 of Section 19, S1/2 of Section 20. SE1/4SE1/4SW1/4, SW1/4SW1/4SE1/4 West of Baker Lake Hiway of Section 21; SW1/4 of Section 22; N1/2N1/2NW1/4, NW/1/4NW1/4NW1/4NE1/4 West of Baker Lake Hiway of Section 28: NE1/4 NE1/4 of Section 29, All Except SW1/4SW1/4 of Section 30, N1/2NE1/4NW1/4 of Section 31. Township 36 North, Range 7 East: S1/2SE1/4NW1/4, NEI/4SW1/4, SE1/4, S1/2NE1/4 of Section 22; S1/2SW1/4, NW1/4SW1/4, SW1/4SE1/4 of Section 23; NE1/4, N1/2SE1/4, É1/2NW1/4, NW1/4NW1/4 of Section 25; NE1/4NE1/4, N1/2NW1/4NE1/4 of Section 26. Township 36 North, Range 6 East: W1/2SW1/4 of Section 17: S1/2NE1/4, E1/2NW1/4, N1/2SE1/4 of Section 18. Township 36 North, Range 5 East: S1/2S1/2SW1/4SE1/4 of Section 10, All of Section 15; N1/2NW1/4, SE1/4NW1/4, NE1/4SW1/4, NW1/4NW1/4SE1/4, NW1/4NW1/4NE1/4 of Section 22; S1/2 of Section 23; SW1/4NE1/4, NW1/4NW1/4, W1/2SE1/4SE1/4 of Section 25; NW1/4SE1/4, N1/2of Section 26:

N1/2NE1/4NW1/4. NW1/4SE1/4, NEI/4NEI/4SEI/4, SWI/4SWI/4SEI/4 of Section 27. Township 35 North, Range 11 East: S1/2SW1/4, SW1/4SE1/4. E1/2NE1/4SE1/4NW1/4, W1/2SW1/4NE1/4 of Section 29; SE1/4SW1/4, SE1/4, SW1/4NE1/4 of Section 30, All of Section 31; N1/2NE1/4, NW1/4, W1/2SW1/4 of Section 32. Township 35 North, Range 9 East: SE1/4, E1/2SW1/4 of Section 22. Township 35 North, Range 8 East: S1/2SW1/4 South of Finney Creek of Section 25; SÉ1/4NW1/4, S1/2, W1/2NE1/4 of Section 26; S1/2NW1/4, NÉ1/4NE1/4SW1/4, NW1/4NW1/4SE1/4 of Section 27; NE1/4, SE1/4NW1/4, N1/2SW1/4, NW1/4SE1/4 of Section 28; SEI/4SEI/4, NEI/4NWI/4, NEI/4NEI/4 of Section 35. Township 35 North, Range 7 East: S1/2SE1/4 South of County Rd. and Scott Rd. #401 of Section 14; SW1/4NW1/4 of Section 28; SE1/4NE1/4 of Section 29. Township 35 North, Range 6 East: SW1/4NE1/4. SE1/4NW1/4, NE1/4SW1/4. NW1/4SE1/4 of Section 34. Township 34 North, Range 9 East: S1/2S1/2NE1/4, S1/2 of Section 7: S1/2 of Section 8; S1/2SW1/4NW1/4, SW1/4 of Section 9: N1/2 of Section 17: All of Section 18. Township 34 North, Range 8 East: W1/2NE1/4NW1/4, S1/2NW1/4, N1/2N1/2SW1/4 of Section 1. Township 34 North, Range 7 East: N1/2 of Section 27. Township 34 North, Range 6 East: S1/2S1/2 of Section 21; SW1/4SW1/4 of Section 22; NW1/4NW1/4 of Section 27; N1/2, W1/2SW1/4 of Section 28; SE1/4 of Section 29, N1/2SE1/4, S1/2NE1/4 of Section 31; SW1/4, W1/2SE1/4, S1/2NW1/4, SW1/4NE1/4 of Section 32; NW1/4SE1/4, E1/2SE1/4 of Section 33; SW1/4, W1/2SE1/4 of Section 34; \$1/2NW1/4 of Section 35. Township 33 North, Range 10 East: NW1/4 of Section 3; E1/2NE1/4 of Section 4; W1/2SW1/4 of Section 13; SW1/4, W1/2SE1/4 of Section 14: SE1/4NW1/4 W1/2NW1/4, of Section 23; W1/2SW1/4 of Section 24; W1/2NE1/4, NW1/4, N1/2SW1/4, SE1/4SW1/4, W1/2SE1/4 of Section 36. Township 33 North, Range 7 East: SW1/4SW1/4 of Section 11; N1/2SW1/4, E1/2NW1/4 of Section 12; NW1/4NW1/4 of Section 14; NE1/4NE1/4, SW1/4SE1/4, SE1/4SW1/4 of Section NE1/4NW1/4, NW1/4NE1/4 of Section NW1/4NW1/4 of Section 24.

Snohomish County, Township 31 North, Range 7 East: NE1/4, E1/2SE1/4 of Section 21; W1/2SW1/4, SW1/4NW1/4 of Section 22; NE1/4, NW1/4SE1/4 of Section 23; E1/2, NE1/4NW1/4, SE1/4SW1/4 of Section 24; N1/2NE1/4, S1/2 of Section 25; NE1/4SE1/4 of Section 26; Pt. NW1/4SW1/4, Pt. S1/2SW1/4 of Section 36. Township 30 North, Range 8 East: Pt. NE1/4, Pt. E1/2NW1/4, Pt. NE1/4SW1/4 of Section 30. Township 30 North, Range 7 East: Pt. Lot 1, Pt. SE1/4NE1/4 of Section 2; SE1/4, S1/2SW1/4 of Section 9, NW1/4, NW1/4SW1/4 of Section 10, N1/2NW1/4, NW1/4NE1/4 of Section 16, All Except W1/2NW1/4 of Section 23; S1/2 of Section 24; All Except SW1/4SW1/4 of Section 25; E1/2NE1/4 of Section 26. Township 29 North, Range 10 East: SE1/4 of Section 19, W1/2SW1/4 of Section 20, Pt.

SW1/4NW1/4 of Section 28; N1/2NW1/4, Pt. S1/2NE1/4, Pt. N1/2SE1/4 of Section 29, NE1/4 of Section 30. Township 29 North, Range 9 East: Lots 2, 3, NE1/4SW1/4, SE1/4NW1/4, SW1/4NE1/4. NW1/4SE1/4 of Section 31. Township 29 North, Range 8 East: Pt. N1/2, Pt. N1/2SW1/4 of Section 14; Pt. SE1/4NE1/4, NE1/4SE1/4 of Section 36. Township 28 North, Range 9 East: Pt. S1/2NW1/4, Pt. N1/2SW1/4, Pt. N1/2SW1/4SW1/4 of Section 2; Pt. SE1/4NE1/4, Pt. E1/2NE1/4SE1/4 of Section 3. Township 28 North, Range 8 East: Pt. E1/2SW1/4, Pt. W1/2SE1/4 of Section 4. Township 28 North, Range 7 East: Pt. NE1/4, Pt. N1/2SE1/4 of Section 17; SE1/4SE1/4 of Section 24; NE1/4NE1/4 of Section 25. Township 27 North, Range 8 East: S1/2NE1/4, S1/2NW1/4, N1/2SW1/4, N1/2SE1/4, SW1/4SE1/4 of Section 1; Pt. W1/2SW1/4 of Section 8: NE1/4SE1/4, NE1/4SW1/4, W1/2SE1/4 of Section 9; NW1/4, SW1/4, SW1/4SE1/4 of Section 10; NW1/4NE1/4, N1/2NW1/4 of Section NE1/2NE1/4, W1/2NW1/4 of Section 17. Township 26 North, Range 12 East: SE1/4 of Section 34.

When, in the opinion of the Area Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he may suspend this Notice by issuing a news release to the newspapers of general circulation in the area and to radio and television stations serving the area, specifying the date and time of the suspension and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Area Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above described areas against fire the following rule will be enforced: Entry into this area is prohibited except as provided by law with reference to permanent residents and industrial operations.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective from midnight, July 7, 1978 to midnight, October 5, 1978.

NEW SECTION

WAC 332-26-070 SOUTHEAST AREA CLO-SURES Skamania and Klickitat Counties. Skamania County, Township 4 North, Range 9 East: N1/2NW1/4SE1/4, NW1/4NE1/4NE1/4, NE1/4NE1/4NW1/4, NE1/4SE1/4, S1/2SE1/4 of Section 13; NE1/4 of Section 24; W1/2SW1/4NE1/4, E1/2NW1/4, W1/2NW1/4SE1/4, E1/2NE1/4SW1/4 of Section 25.

Klickitat County, Township 4 North, Range 10 East: E1/2NW1/4, W1/2SE1/4NE1/4, W1/2NE1/4, NE1/4SE1/4, N1/2SE1/4SE1/4 of Section 19; NE1/4NW1/4 of Section 30. Township 3 North, Range 11 East: SE1/4 of Section 16. Township 4 North, Range

11 East: NE1/4NE1/4, S1/2NE1/4 of Section 21. Township 4 North, Range 12 East: W1/2 of Section 16.

When, in the opinion of the Area Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he may suspend this Notice by issuing a news release to the newspapers of general circulation in the area and to radio and television stations serving the area, specifying the date and time of the suspension, and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Area Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above-described areas against fire, the following rule will be enforced:

Entry into this area is prohibited except as provided by law with reference to permanent residents and industrial operations.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective from midnight July 7, 1978 to midnight October 5, 1978.

WSR 78-08-007 ADOPTED RULES

COUNCIL FOR POSTSECONDARY EDUCATION

[Order 3-78-Filed July 7, 1978]

Be it resolved by the Council for Postsecondary Education, acting at Wenatchee Valley College, that it does promulgate and adopt the annexed rules relating to state of Washington College Work/Study program, amending WAC 250-40-050.

This action is taken pursuant to Notice No. WSR 78-06-015 filed with the code reviser on May 11, 1978. Such rules shall take effect pursuant to RCW 34:04.040(2).

This rule is promulgated under the general rule-making authority of the Council for Postsecondary Education as authorized in RCW 28B.10.806.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 22, 1978.

By C. Gail Norris Executive Coordinator

AMENDATORY SECTION (Amending Order 5-77, filed 5/11/77)

WAC 250-40-050 RESTRICTIONS ON STU-DENT PLACEMENT AND COMPENSATION. (1) Displacement of Employees. Employment of State Work-Study students may ((shall)) not result in displacement of ((classified or regular full-time positions reduced due to lack of funds or work, during the current or prior fiscal year or calendar period)) employed workers or impair existing contracts for services. State Work-Study students employed by public institutions of postsecondary education may not fill positions currently or fomerly occupied by classified employees. In all other cases, State Work-Study students may not fill positions which have been occupied by regular employees during the current or prior calendar or fiscal year.

(2) Rate of Compensation. All Work-Study positions shall receive compensation equal to the entry level salary of comparable positions. ((Any salaries for which a lower entry pay scale might be justified must be outlined in an apprenticeship-type agreement struck prior to a studential structure.

dent's employment.))

- (3) Appeals. The Council shall be notified of any violation of the requirements under (1) and (2) above. If satisfactory resolution cannot be made by the Council, the advisory committee authorized by WAC 250-40-070(6) shall review the appeal and make a recommendation to the Council on the disposition of the appeal.
- (4) Maximum Total Compensation. Earnings beyond the student's State Work-Study eligibility must be reported to the financial aid officer, and resulting adjustments made in the financial aid package. However, if necessary to complete a special State Work-Study assignment, or to continue employment to the end of an academic term, the student may be allowed, upon agreement of the financial aid officer, to earn up to \$200 beyond the State Work-Study award without penalty.
- (5) State Share of Student Compensation. The state share of compensation paid students employed by state supported institutions of postsecondary education shall not exceed 80 percent of the student's gross compensation. The state share of compensation paid students employed by all other employers shall not exceed 65 percent of the student's gross compensation.
- (6) Employer Share of Student Compensation. The employer shall pay a minimum of 20% or 35% of the student's gross compensation as specified in section 5 above, plus the costs of any employee benefits including all payments due as an employer's contribution under the state Workman's Compensation laws, federal social security laws, and other applicable laws.

(7) Academic Credit for State Work-Study Employment. Students may receive academic credit for experience gained through State Work-Study employment.

- (8) Maximum Hours Worked. Employment of a student in excess of an average of 19 hours per week over the period of enrollment for which the student has received an award or maximum of 40 hours per week during vacation periods will not be eligible for reimbursement from state funds.
- (9) Types of Work Prohibited. Work performed by a student under the State College Work-Study Program shall not be sectarian related and shall not involve anh partisan or nonpartisan political activity.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 78-08-008 EMERGENCY RULES DEPARTMENT OF LABOR AND INDUSTRIES [Order 78-11—Filed July 10, 1978]

I, John C. Hewitt, director of the Department of Labor and Industries, do promulgate and adopt at the Director's Office, Olympia, Washington, the annexed rules relating to scope and application of safety standards for fire fighters, amending WAC 296-305-005. This amendment states that volunteer fire fighters are not covered by chapter 296-305 WAC.

I, John C. Hewitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the rule as unamended could place undue burdens on fire fighting organizations utilizing volunteers. At the June 8th public hearing fire fighters presented testimony for clarification of the wording in scope and application making this explicitly clear.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 49.17.040 and 49.17.240 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 10, 1978.

By John C. Hewitt Director

AMENDATORY SECTION (Amending Order 20, filed 10-10-77)

WAC 296-305-005 SCOPE AND APPLICA-TION. (1) The rules of this chapter shall apply with respect to any and all activities, operations and equipment of employers and employees involved in providing fire protection services which are subject to the provisions of the Washington Industrial Safety and Health Act of 1973 (Chapter 49.17 RCW)((-)): Provided, that any other provision of this chapter not withstanding the rules

of this chapter shall not apply to volunteer fire fighters, nor to those fire fighting organizations utilizing volunteer fire fighters exclusively.

- (2) The provisions of this chapter apply to all work places where fire fighters are employed, including the fire combat scene. Although enforcement of applicable standards will result from provable violations of these standards which occur at the fire combat scene, agents of the Department will not act in any manner that will reduce or interfere with the effectiveness of the emergency response of a fire fighting unit. Activities directly related to the combating of a fire will not be subjected to the immediate restraint provisions of RCW 49.17.130.
- (3) The provisions of this chapter shall be supplemented by the provisions of the safety and health standards of the Department of Labor and Industries, Chapter 296-24 WAC and Chapter 296-62 WAC. In the event of conflict between any provisions of this chapter and any provision of either of the two chapters last cited, the provisions of this chapter shall apply. The requirements of this chapter should be reviewed by the appropriate labor-management committee at least every two years.

WSR 78-08-009 PROPOSED RULES GREEN RIVER COMMUNITY COLLEGE [Filed July 10, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Green River Community College, Community College District No. 10, intends to adopt, amend, or repeal rules concerning the repealing of:

WAC 132J-12-003 through 132J-12-401 Uniform personnel rules for classified staff service of Green River Community College.

WAC 132J-112-900 through 132J-112-921 Procedures for administering the professional negotiations law;

that such institution will at 4:30 p.m., Thursday, August 17, 1978, in the Board Room, Green River Community College, Auburn, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:30 p.m., Thursday, August 17, 1978, in the Board Room, Administration Building, Green River Community College.

The authority under which these rules are proposed is RCW 28B.50.140, chapters 28B.16 and 28B.52 RCW.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to August 17, 1978, and/or orally at 4:30 p.m., Thursday, August 17, 1978, Board Room, Administration Building, Green River Community College, Auburn, WA.

Dated: June 22, 1978

By: Melvin Lindbloom

President

DISTRICT NO. 10

GREEN RIVER COMMUNITY COLLEGE

ORLLIVE	IIVER COMMONITI COLLEGE
WAC 132J-12-003	PURPOSE.
WAC 132J-12-006	POSITIONS COVERED BY THE RULES.
WAC 132J-12-009	ADOPTION OF RULES.
WAC 132J-12-012	AMENDMENT OF RULES.
WAC 132J-12-015	DEFINITION OF TERMS.
WAC 132J-12-018	ORGANIZATION.
WAC 132J-12-021	COMPENSATION.
WAC 132J-12-024	ELECTION OF OFFICERS.
WAC 132J-12-027	MEETINGS.
WAC 132J-12-030	POWERS AND DUTIES.
WAC 132J-12-033	APPOINTMENT OF PERSONNEL DIRECTOR.
WAC 132J-12-036	POWERS AND DUTIES.
WAC 132J-12-039	CONTENT.
WAC 132J-12-042	AMENDMENT.
WAC 132J-12-045	ALLOCATION.
WAC 132J-12-048	INTERPRETATION OF SPECIFICATIONS.
WAC 132J-12-051	USE IN ALLOCATION.
WAC 132J-12-054	USE IN EXAMINATION.
WAC 132J-12-057	STATEMENTS OF GENERAL QUALIFICATIONS.
WAC 132J-12-060	AUTHORITY.
WAC 132J-12-063	USE OF CLASS TITLES.
WAC 132J-12-066	GENERAL POLICIES.
WAC 132J-12-069	CONTENT.
WAC 132J-12-072	AMENDMENT.
WAC 132J-12-075	PAYROLL CERTIFICATION.
WAC 132J-12-078	OVERTIME PAYMENT.
WAC 132J-12-081	HOURS OF WORK.
WAC 132J-12-084	REST PERIODS.
WAC 132J-12-087	HOLIDAYS.
WAC 132J-12-096	ANNUAL LEAVE.
WAC 132J-12-120	SICK LEAVE.
WAC 132J-12-123	PRIOR ANNUAL AND SICK LEAVE CREDITS.
WAC 132J-12-144	MILITARY TRAINING LEAVE WITH PAY.
WAC 132J-12-147	MILITARY LEAVE WITHOUT PAY.
WAC 132J-12-150	LEAVE FOR CIVIL DUTY.
WAC 132J-12-153	LEAVE OF ABSENCE WITHOUT PAY.
WAC 132J-12-165	ABSENCE WITHOUT AUTHORIZED LEAVE.
WAC 132J-12-168	SELECTION BY EXAMINATION.
WAC 132J-12-171	ANNOUNCEMENT OF EXAMINATIONS. DISTRIBUTION OF ANNOUNCEMENTS.
WAC 132J-12-175	OPEN COMPETITIVE EXAMINATIONS.
WAC 132J-12-177	PROMOTIONAL EXAMINATIONS.
WAC 132J-12-180	FORMS OF APPLICATION.
WAC 132J-12-183	FREEDOM FROM BIAS.
WAC 132J-12-186	ADMISSION TO EXAMINATION.
WAC 132J-12-189	DISQUALIFICATION OF APPLICANTS.
WAC 132J-12-192	ORIGINAL EXAMINATIONS.
WAC 132J-12-195	PROMOTIONAL EXAMINATIONS.
WAC 132J-12-198	NONCOMPETITIVE EXAMINATIONS.
WAC 132J-12-201	MORCOMPETITIVE EXAMINATIONS.

OPEN-CONTINUOUS EXAMINATIONS.

WAC 132J-12-204

WAC 132J-12-207	CONDUCT OF EXAMINATIONS.	WAC 132J-12-353	CLASSES DURING WORKING HOURS - COM- PENSATION - AUTHORIZATION.	
WAC 132J-12-210	ANONYMITY OF APPLICANTS.	WAC 132J-12-356	SPECIAL TRAINING PROGRAMS.	
WAC 132J-12-213 WAC 132J-12-216	RATING OF EXAMINATIONS. VETERAN'S PREFERENCE.	WAC 132J-12-359	PROHIBITIONS AND PENALTIES - POLITI- CAL ACTIVITY.	
WAC 132J-12-219	NONCOMPETITIVE EXAMINATIONS.	WAC 132J-12-362	OUTSIDE EMPLOYMENT.	
WAC 132J-12-222	DEFINITION OF VETERAN.	WAC 132J-12-365	EMPLOYMENT OF MORE THAN ONE MEM-	
WAC 132J-12-223	LIMITATIONS ON PREFERENCE.	WAC 1525-12-505	BER OF A FAMILY.	
WAC 132J-12-226	PROOF OF ELIGIBILITY.	WAC 132J-12-368	FALSE STATEMENTS - FRAUD.	
WAC 132J-12-229	NOTIFICATION OF EXAMINATION	WAC 132J-12-371	BRIBERY.	
	RESULTS.	WAC 132J-12-374	INTERFERENCE BY OFFICIALS.	
WAC 132J-12-231	NOTIFICATION OF CANCELLATION.	WAC 132J-12-377	PENALTIES.	
WAC 132J-12-232	MEDICAL EXAMINATION.	WAC 132J-12-380	DISCRIMINATION.	
WAC 132J-12-235	ESTABLISHMENT AND MAINTENANCE.	WAC 132J-12-383	PERSONNEL RECORDS AND REPORTS.	
WAC 132J-12-238	ORGANIZATIONAL UNITS.	WAC 132J-12-385	ROSTER.	
WAC 132J-12-241	MERIT LISTS.	WAC 132J-12-388	REPORTS TO THE PERSONNEL DIRECTOR.	
WAC 132J-12-245	LAYOFF LISTS.	WAC 132J-12-401	PUBLIC RECORDS.	
WAC 132J-12-248	UNRANKED LISTS.	WAC 132J-112-900	PURPOSE—ELECTIONS AND	
WAC 132J-12-251	DURATION OF ELIGIBLE LISTS.		RECOGNITION.	
WAC 132J-12-253	LAYOFF AND RE-EMPLOYMENT LISTS.	WAC 132J-112-901	DEFINITIONS.	
WAC 132J-12-261	REMOVAL OF NAMES FROM ELIGIBLE LISTS.	WAC 132J-112-902	REQUEST FOR ELECTION——CANVASS OF ACADEMIC EMPLOYEES BY INDEPENDENT AND NEUTRAL PERSON OR ASSOCIATION.	
WAC 132J-12-264	COMPARABLE LISTS.	WAC 132J-112-903	NOTICE OF ELECTION—ORGANIZATION	
WAC 132J-12-267	AVAILABILITY OF ELIGIBLES.		TO BE INCLUDED ON BALLOT—TIME FOR FILING.	
WAC 132J-12-270	REQUEST FOR EMPLOYEES.	WAC 132J-112-904	CONTENTS OF NOTICE OF ELECTION—	
WAC 132J-12-273	METHOD OF CERTIFICATION.	WAC 1323-112-904	DESIGNATION OF CHIEF ELECTION OFFI-	
WAC 132J-12-276	RANKED LISTS.	77.4.0	CER—DUTIES.	
WAC 132J-12-277	URGENCY CERTIFICATION.	WAC 132J-112-905	LIST OF ACADEMIC EMPLOYEES——POST- ING OF LIST.	
WAC 132J-12-279	RELATED LISTS.	WAC 132J-112-906	ELECTION INSPECTORS—DUTIES—	
WAC 132J-12-281	SELECTION.		RIGHT TO CHALLENGE VOTER——IMPROP- ER CONDUCT.	
WAC 132J-12-284	PROBATIONARY APPOINTMENTS.	WAC 132J-112-907	BALLOTS.	
WAC 132J-12-287 WAC 132J-12-290	PROVISIONAL APPOINTMENTS.	WAC 132J-112-908	RECORD OF VOTE—SIGNATURE—	
	IN-TRAINING APPOINTMENTS. PROMOTION - TRIAL SERVICE PERIOD.		CHALLENGE.	
WAC 132J-12-293 WAC 132J-12-296		WAC 132J-112-909	INCORRECTLY MARKED BALLOT.	
	TRANSFER.	WAC 132J-112-910	PRIVACY FOR VOTEREQUIPMENT.	
WAC 132J-12-299	DEMOTION.	WAC 132J-112-911	FOLDING BALLOT——BALLOT BOX.	
WAC 132J-12-302	PURPOSE FOR PROBATIONARY PERIOD.	WAC 132J-112-912	CHALLENGED BALLOT—PROCEDURE.	
WAC 132J-12-305 WAC 132J-12-308	DURATION. REMOVAL DURING PROBATIONARY PERIOD.	WAC 132J-112-913	EMPLOYEES PRESENT ENTITLED TO VOTE—SEALING BALLOT BOX—UN-USED BALLOTS.	
WAC 132J-12-311	DEMOTION DURING PROBATIONARY PERIOD.	WAC 132J-112-914	ELECTION INSPECTORS DUTIES AFTER VOTING HAS TERMINATED.	
WAC 132J-12-314	SEPARATION.	WAC 132J-112-915	DISPOSITION OF CHALLENGED BAL-	
WAC 132J-12-317	RESIGNATION.		LOTS—TALLY SHEETS—INVESTIGA- TION BY CHIEF ELECTION OFFICER.	
WAC 132J-12-320	REDUCTION IN FORCE – LAYOFF.	WAC 132J-112-916	COUNTING OF BALLOTS-PROCE-	
WAC 132J-12-323	DISMISSAL.		DURE—CERTIFICATION OF RESULTS OF ELECTION—RETENTION OF BALLOTS—	
WAC 132J-12-326	ABANDONMENT OF POSITION.		SIGNED VOTING LISTS.	
WAC 132J-12-329	DISCIPLINARY ACTION.	WAC 132J-112-917	ELECTIONEERING WITHIN THE POLLS	
WAC 132J-12-332	SUSPENSION.		FORBIDDEN.	
WAC 132J-12-335	DEMOTION.	WAC 132J-112-918	CONTEST OF ELECTION—TIME FOR FILING OBJECTIONS—INVESTIGATION OF	
WAC 132J-12-338	WHO MAY APPEAL FROM DISCIPLINARY ACTIONS.	WAC 132J-112-919	OBJECTIONS. PERSONS ELIGIBLE TO VOTE—ANY PER-	
WAC 132J-12-341	PROCEDURES FOR HEARING APPEALS.		SON WHO QUALIFIES UNDER DEFINITION OF "ACADEMIC EMPLOYEE".	
WAC 132J-12-344	SERVICE RATINGS AND TRAINING.	WAC 132J-112-920	ELECTION DETERMINED BY MAJORITY OF	
WAC 132J-12-347 WAC 132J-13-350	EDUCATION AND TRAINING. OUTSIDE COURSE WORK.	AC 1525-112-720	VALID VOTES CAST—RUN-OFF ELECTION.	
= 1 N	WORK.	WAC 132J-112-921	TIME LAPSE FOR NEW ELECTION.	

WSR 78-08-010

ADOPTED RULES

CODE REVISER
[Order 19—Filed July 11, 1978]

I, Dennis W. Cooper, Code Reviser of the state of Washington, do promulgate and adopt at Olympia, Washington, the annexed rules relating to copying fees for public records, amending WAC 1-06-090.

This action is taken pursuant to Notice No. WSR 78-206-020 filed with the code reviser on May 15, 1978. Such rules shall take effect pursuant to RCW

34.04.040(2).

This rule is promulgated pursuant to RCW 42.17.250 and 42.17.300 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 11, 1978.

By Dennis W. Cooper/by Gary L. Reid

Code Reviser

AMENDATORY SECTION (Amending Order 8, filed 9/25/74)

WAC 1-06-090 COPYING. No fee shall be charged for the inspection of public records. The agency shall charge a fee of ((ten)) twenty-five cents per page of copy for providing copies of public records and for use of the agency's copy equipment. This charge is the amount necessary to reimburse the agency for its actual costs incident to such copying.

WSR 78-08-011 ADOPTED RULES CENTRAL WASHINGTON UNIVERSITY [Order 39—Filed July 11, 1978]

I, Gregory Trujillo, Special Assistant to the President, of the Central Washington University, do promulgate and adopt at President's Office, Barge Hall Room 301, on campus, the annexed rules relating to institution title change from Central Washington State College to Central Washington University.

This action is taken pursuant to Notice No. WSR 78-04-009 filed with the code reviser on 3/6/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.19. .050 and 28B.40.120 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 14, 1978.

By Gregory Trujillo Special Assistant to the President

AMENDATORY SECTION (Amending Order 3244, filed 12/8/71)

WAC 106-08-001 REGULAR MEETING TIME.
The regular meetings of the Board of Trustees of Central Washington ((State College)) University shall be held on the second Friday of each month at 8:00 p.m. in rooms 204-205, Samuelson Union Building on the Central Washington ((State College)) University campus in Ellensburg, Washington

AMENDATORY SECTION (Amending Order 3244, filed 12/8/71)

WAC 106-08-005 DEFINITIONS. As used herein, the term "agency" shall mean the Board of Trustees of Central Washington ((State College)) University or any duly appointed hearing officer or officers.

AMENDATORY SECTION (Amending Order 3244, filed 12/8/71)

WAC 106-08-080 NOTICE AND OPPORTUNI-TY FOR HEARING IN CONTESTED CASES. In any contested case, all parties shall be served with a notice at least ten days before the date set for the hearing. The notice shall be signed by the president of Central Washington ((State College)) University ((of)) or his designee and shall state the time, place, and issues involved, as required by RCW 28B.19.120.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-010 GENERAL POLICY. It shall be the policy of the Board of Trustees of Central Washington ((State College)) University, within the realm of their authority and in keeping with their responsibility to the public, to prohibit discrimination based on race, creed, ethnic origin, or sex. This prohibition applies to all aspects of the ((College's)) university's functions, program and activities, the utilization of its facilities and the official use of the ((College's)) university's name; the employment, housing, financial aid, and educational opportunities it provides.

The Board of Trustees, furthermore, affirms its intent and desire to establish practices consistent with those prescribed for other agencies of the state of Washington through the governor of the state and through this policy expresses its intent to modify any present practices of the ((College)) university to accomplish this end.

The Board of Trustees hereby directs the president of Central Washington ((State College)) University to establish administrative procedures, rules, and regulations which will fulfill this policy and which will provide him with means to monitor and maintain such rules and regulations. Furthermore, the president is directed to report, from time to time, to the Board of Trustees

progress and problems related to the execution of this policy.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-100 PROCEDURES, RULES. AND REGULATIONS-EMPLOYMENT, JOB PLACEMENT, AND PROMOTION. It shall be the goal of this ((College)) university to employ all personnel solely on the basis of merit and without regard for race, religion, color, national origin, sex, age, or physical disability, except where sex, age or physical disability are bona fide occupational qualifications. Job placement, retention, and opportunities for promotion shall be based on such factors as relate to the demands of the position. It is, furthermore, a goal of this ((College)) university to establish contracts and supply agreements only with firms and individuals who support and implement the above stated goal.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-110 PROCEDURES, RULES, AND REGULATIONS—ACADEMIC PERSONNEL. All administrators who have authority to employ academic personnel shall work toward establishing a diverse faculty capable of providing for excellence in education and for the enrichment of the ((College)) university community. No appointment will be made until all candidates have been encouraged to apply.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-120 PROCEDURES, RULES, AND REGULATIONS—NONACADEMIC PERSONNEL. All those who have authority to employ nonacademic personnel (including part time personnel and students) shall work toward establishing a diverse work force capable of providing excellence in service to the ((College)) university. No appointment will be made until all candidates have been encouraged to apply.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-130 PROCEDURES, RULES, AND REGULATIONS—CONTRACTORS. Every department of the ((College)) university which awards contracts for the construction, alteration or repair of any building or other public work shall utilize procedures which will ensure that minority group persons are employed on all public works projects of the ((College)) university. This goal is to be sought whenever ((College)) university funds, from any source, are expended.

The ((College)) university shall include in the bid specifications for a public works contract a requirement that the prospective contractor and his subcontractors must agree to take affirmative action to employ minority group workers in the performance of the contract. The bid specifications shall express as precisely as possible

what affirmative action a contractor will be obligated to take.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-140 PROCEDURES, RULES. AND REGULATIONS—SUPPLIERS. This ((College)) university is obligated as a bona fide state agency to abide by RCW 43.19.190 which is the statute describing state purchasing laws. This statute, in general. requires the ((College)) university to seek competitive bids for all purchases and requires the institution to accept the lowest bid which meets stated specifications. In addition, Central Washington ((State College)) University will stipulate in writing on all invitations to bid and on all purchase orders ((and)) an anti-discrimination clause. Such clauses will obligate any supplier to practice equal opportunity employment, and shall bind him to abide by an anti-discrimination action adopted by the division of purchasing for the state of Washington.

It shall not be obligatory for the ((College)) university to investigate each of its suppliers for conformity to the regulations but the ((College)) university will be obliged to investigate any supplier against whom a complaint has been filed related to discrimination.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-150 PROCEDURES, RULES, AND REGULATIONS—STUDENT EMPLOY-MENT. Students employed by the ((College)) university on a part-time basis shall be hired first on the basis of qualifications to accomplish job specifications and secondly on the basis of need. A sincere effort, however, must be made by those employing such students that the student work force be composed of a significant number of minority students and members of both sexes. Job placement and opportunity for promotion shall be no different for one student than for another but shall be soley a matter of competence.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-200 PROCEDURES, RULES, AND REGULATIONS—STUDENT SERVICES. It is the goal of this ((College)) university to create and maintain all student services which are responsible to the needs and desires of all students and which reflect a policy of nondiscrimination. In all areas of student services, students are to be treated as individuals without regard for race, religion, color, national origin, sex, age, or physical disability.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-220 PROCEDURES, RULES, AND REGULATIONS—ACADEMIC PROGRAM. It shall be the goal of this ((College)) university to recruit and enroll a student body which reflects a significant number of minority group members. The test

for significance shall be determined by the percentage of such minority groups in the population of the state. The ((College)) university shall, in the fulfillment of this goal, make special efforts within its financial resources to bring about this desired student mix.

No students are to be given special consideration in fulfilling graduation requirements at the ((College)) university, except as may be available for all students through established ((College)) university policy.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

PROCEDURES. RULES, WAC 106-72-230 -COMMUNITY RELA-AND REGULATIONS— TIONS. The ((College)) university will work closely with, coordinate activities with, and cooperate with any governmental body established in the community or state whose purpose is to discourage and eliminate discrimination. (1) Community services. The ((College)) university is cognizant that the student body and employees of the ((College)) university must use the multiple services of the community. It is also cognizant that in the private sector of the community policy cannot be dictated or controlled. However, the ((College)) university shall, in keeping with its own policy of nondiscrimination, attempt in every way possible to maintain service arrangements only with those organizations and individuals who operate in a nondiscriminatory fashion.

(2) Community housing. The ((College)) University Housing Office will seek and maintain community housing listings for the use of students. However, it shall not knowingly list any apartment, dormitory, or house for rent for students and employees if it is known that the owner or landlord has previously acted in any discriminatory fashion in renting or leasing such facility. In addition, the ((College)) University Housing Office shall establish such procedures as to promote nondiscrimination in rental housing by private persons to ((College)) university students.

(3) Vendors. To the extent that it is able under state law, the ((College)) university shall not knowingly patronize or recommend any vendor or supplier in the community who has demonstrated or announced a policy of discrimination in employment or service.

- (4) Government agencies. The ((College)) university will strive to create and maintain good relations with official governmental agencies in the Central Washington region so that both employees and students will be welcomed to use governmental services. Wherever it can be shown that such governmental services are in any way discriminatory, the ((College)) university will strive to correct this situation.
- (5) Community organizations. The ((College)) university will not allow any of its divisions, departments, or special units, when such units represent themselves as affiliates of the ((College)) university, to rent or use free of charge the facilities of any organization which states a policy of discrimination or demonstrates discrimination through its procedures of operation.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-250 PROCEDURES, RULES, AND REGULATIONS—GOVERNMENT CONTRACTS. The ((College)) university will establish and maintain nondiscriminatory practices in the fulfillment of all its contracts with any governmental agency. It will fully comply with any federal, state, or local governmental regulations which request a policy or procedural statement on nondiscrimination.

In the case of federal contracts for research grants and awards, the Office of Research and Development will be charged with development and inclusion in any contract a statement of nondiscrimination in the fulfillment of such contract.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-260 PROCEDURES, RULES, AND REGULATIONS—IMPLEMENTATION AND ADMINISTRATION—HUMAN RIGHTS COMMISSION. The ((College)) university will establish and maintain for as long as is necessary a human rights commission whose responsibilities will be to execute the human rights policy. Details of the commission are as follows:

- (1) Membership. The membership of the commission shall include persons officially members of the ((College)) university community—faculty personnel, nonfaculty personnel, and students. The commission's membership shall total six members. Two members shall be appointed from the faculty personnel, two from nonfaculty personnel, and two from the student body. Faculty members shall be appointed by the faculty senate chairman, nonfaculty members by the ((College)) university president, and student members by the ASC president.
- (2) Chairman. The chairman of the commission shall be designated by the members and shall be one of the members appointed.
- (3) Responsibilities. The commission shall have responsibility to:
- (a) Distribute and interpret the human rights policy to all segments of the campus and to community agencies and individuals as may be necessary.
- (b) Review regularly (at least annually) all procedures established and executed by deans, department chairmen, and other administrators of operating units of the ((College)) university which have a relationship to the ((College)) university policy on nondiscrimination.

(c) Review and recommend procedural and regulatory statements as may be needed to update the ((College)) university policy on nondiscrimination.

- (d) Become familiar with any new or modified governmental policy or procedure on nondiscrimination which may affect ((College)) university policy or procedure.
- (e) Approve any proposed procedure or rule on nondiscrimination which may be written and distributed by anyone on campus for consumption by a ((College)) university—wide audience.

- (f) Construct and maintain a procedure whereby complaints from individuals and/or groups may be heard if such complaints may be in violation of ((College)) university policy.
- (g) Construct procedures which may be taken to investigate alleged or suspected discriminatory practices.
- (h) Recommend to the president of the ((College)) university actions which may be taken to correct violations of this policy.
- (i) Submit an annual, comprehensive report to the president of the ((College)) university. The report shall include:
- (i) Recommendations for modification of policy statements.
- (ii) Review and recommendations surrounding steps taken by various administrators to fulfill written procedure.
- (iii) Summary of complaints together with subsequent action concerning such complaints.
- (iv) Recommendations for further modification or strengthening of procedures to ensure nondiscrimination.

AMENDATORY SECTION (Amending Order 3274, filed 12/6/71)

WAC 106-72-270 PROCEDURES, RULES, AND REGULATIONS—GRIEVANCE PROCEDURE. The following procedures will be used in making a complaint about discrimination in violation of the

human rights policy:

- (1) Faculty and civil service exempt members. The complainant should discuss his grievance with his department chairman or immediate supervisor and attempt to gain mutual satisfaction through this process. If unsatisfied with the results of this procedure, the complainant may then present written complaint to the appropriate dean or administrator for consideration. Within ((15)) fifteen days after receiving the written complaint, the dean or administrator shall reply to the complainant in writing recommending a resolution of the matter. If still unsatisfied, the complainant may redirect a written complaint to the vice president for academic affairs or the vice president for business affairs, whichever is appropriate. Within ((15)) fifteen days after receipt of the written appeal, the appropriate vice president will present to the complainant and his dean or administrator, a written recommendation to resolve the problem. If the matter is then not resolved to the satisfaction of the complainant, he may write a further appeal to the chairman of the human rights commission. The commission, within ((15)) fifteen days after receipt of the appeal, will meet with the complainant and make a written recommendation to the president of the ((College)) university, with a copy sent to the complainant, who will take whatever action he deems necessary.
- (2) Staff member (civil service). The Board of Trustees of the ((College)) university adopted on May 1, 1970, the Central Washington ((State College)) University Board of Trustees grievance procedure for classified, civil service employees. Within this set of procedures is a process for grievances. Grievance procedures related to discrimination shall follow this established policy as written except that Step 4 shall be rewritten as follows:

- (a) If the grievance is unsatisfactorily resolved by the Director of Staff Personnel within the seven (((7))) working day period as outlined in Step 3, the employee may within three (((3))) working days of such a decision request in writing that the ((College)) university vice president for business affairs coordinate the initiation of a hearing as a final grievance step. This hearing shall be conducted by the human rights commission.
- (b) If anyone on the human rights commission is employed in the same office, department, or subdepartment as the aggrieved employee, that person shall excuse himself from the commission for that particular hearing.

The commission shall hear the grievance under procedures established by the chairman and will render a written recommendation to the president after the hearing is closed. Copies of the recommendation, including any dissenting opinions, if any, of members of the commission will go to both the president and the complainant. The president will take whatever action he deems necessary.

- (3) Student. The complainant will discuss his complaint with the appropriate administrator or supervisor most closely related to the issue involved: (i.e., a housing problem should be discussed with the director of Housing, a food problem with the director of Food Services, an academic problem with the chairman of the appropriate department, etc.). The student should attempt to resolve his problem in this fashion. If unsatisfied with the results, the student may send a written complaint to the dean of students. Within ((15)) fifteen days after receiving the written complaint, the dean of students shall reply to the student in writing and recommend a resolution of the problem. If still unsatisfied, the complainant may redirect a written appeal to the chairman of the human rights commission. The commission within ((15)) fifteen days after receipt of the appeal, will meet with the student and make a written recommendation to the president of the ((College)) university, with a copy sent to the complainant. The president will take whatever action he deems necessary.
- (4) Groups. Any group with a complaint should choose one of its number to represent its grievance and proceed as for a single individual.
- (5) Complaints related to community. Any member of the ((College)) university community who has a complaint against any private individual, private establishment, public individual, or public agency, may present a written complaint directly to the chairman of the human rights commission. Within ((15)) fifteen days after receipt of the complaint, the commission will meet with the complainant and attempt to recommend a resolution of the problem. If the problem warrants investigation, the commission may decide to pursue such investigation on its own discretion and subsequently will present to the president recommendations for action. If legal matters pertaining to a violation of individual rights are involved, the commission will seek to apprise the complainant of his rights and to make recommendations as to how he may proceed to satisfy his complaint through legal

In any complaint against the community, the commission will attempt to act in such a way as to maintain

good communications with the government and the people. In any recommendations for resolution of a problem in the community, the commission shall meet with members of the Ellensburg human relations commission and seek their cooperation and assistance in correcting any wrong which may have ((occurred)) occurred.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-112-010 STUDENT EMPLOYMENT PROCEDURES—REGULAR STUDENT EMPLOYMENT. To be eligible for ((college)) university student employment a person shall be enrolled in seven or more credit hours during the academic period he wishes to work at the ((College)) university, and subject to the following regulations:

(1) A student shall be admitted to Central Washington ((State College)) University before employment will be given to him. Admittance is determined by

the ((CWSC)) <u>CWU</u> Admissions Office.

(2) Persons enrolled in six or less credit hours of classes in any given quarter will not be classified as student employees and will fall under the jurisdiction of the Staff Personnel Office.

- (3) No student will be allowed to work more than an average of ((15)) fifteen hours per week when classes are in session.
- (4) For employment purposes a student employee is limited to an average of ((15)) <u>fifteen</u> hours per week starting the first day of classes each quarter and until the last day of final tests.

(5) Vacations and registration are periods of time when a student may work up to ((8)) eight hours a day, filed 8/23/74)

((40)) forty hours a week.

(6) No student employee shall work in more than one department on campus unless clearance is obtained

through the Financial Aid Office.

- (7) All job openings reported to the office of Financial Aid will be posted on the bulletin board outside the Financial Aid Office. Students interested in inquiring about any job posted will inquire with the secretary in charge of student employment in the Financial Aid Office. Applicants are considered on a first-come, first-served basis.
- (8) The Financial Aid Office acts as a referral agency only. Final selection and hiring of any student employee on this campus will be made by the employing office.
- (9) Student employment rating forms are furnished to each department. These forms may be sent to the Financial Aid Office for any of the following reasons:

(a) To denote outstanding work.

- (b) When a student is doing below average or poor work (or no work at all).
- (c) When a student completes, is fired from, or quits a job.

AMENDATORY SECTION (Amending Order 4073, filed 8/23/74)

WAC 106-112-100 POLICY ON NEPOTISM. In the appointment of its faculty, administrative officers

and civil service staff, Central Washington ((State College)) University seeks to employ the best qualified men and women available. Therefore, members of the same family may be appointed to faculty and staff positions, and all appointments will be made without regard to race, creed, color, sex, age, national origin, marital status, or the presence of any sensory, physical or mental handicap, unless based upon a bona fide positional qualification.

The ((College)) university also extends equal employment opportunity to persons possessing criminal convictions, however, employment of a person possessing a criminal conviction will be contingent upon a thorough review of specific convictions and their relationship to the welfare of the ((College)) university. The ((College)) university precludes employment of persons possessing criminal convictions in the campus police department. Employees will receive all benefits associated with positions in which they are employed.

AMENDATORY SECTION (Amending Order 4073, filed 8/23/74)

WAC 106-112-101 POLICY ON NEPO-TISM—EXCEPTIONS. Exceptions to this policy may be established by the president of the ((College)) university for specific positions where employment of consanguineal or affinal persons in these specific positions would compromise the ((College's)) university's obligation to maintain separation of responsibilities as required by sound financial management principles.

AMENDATORY SECTION (Amending Order 4073, filed 8/23/74)

WAC 106-112-105 DECISIONS ON RELA-TIVES. No member of the ((College's)) university's faculty, administrative or civil service staff shall vote, make recommendations, or in any other way participate in the decision of any matter which may directly affect the appointment, tenure, promotion, or other status or interest of such person's parent, child, spouse, sibling or in-law.

AMENDATORY SECTION (Amending Order 4075, filed 8/23/74)

WAC 106-112-300 PREGNANCY AND MATERNITY LEAVE POLICY—INTRODUCTION. Many women of childbearing age depend on their job for economic support. Practices such as terminating the employment of pregnant women without cause, refusing to grant leave or accrued sick pay for disabilities relating to pregnancy, or refusing to hire women for responsible jobs because they are, or may become, pregnant, impair the opportunity of women to obtain employment and to advance on the same basis as men. Such practices discriminate against women because of their sex and are prohibited at Central Washington ((State College)) University.

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AMENDATORY SECTION (Amending Order 4075, filed 8/23/74)

WAC 106-112-310 HIRING PREGNANT WOMEN. Appointing authorities will not refuse to hire a qualified woman because of pregnancy unless the refusal would be reasonable in view of the necessity to conduct business in an orderly manner. If an appointing authority elects not to hire a qualified woman because of pregnancy, the burden shall be on that appointing authority to demonstrate that the decision was based upon justifiable facts concerning her individual ability to perform the job or upon justifiable facts concerning business requirements.

Arguments that may not be used to disqualify pregnant women from employment include, but are not limited to:

- (1) Pregnant women may not return to their former job after childbirth;
- (2) Time away from work required for childbearing may increase the ((College's)) university's cost;
- (3) The leave period for childbirth may be unreasonably long;
- (4) Pregnant women may be frequently absent from work due to illness; and
- (5) Clients, co-workers, or customers may object to having pregnant women on the job.

AMENDATORY SECTION (Amending Order 4075, filed 8/23/74)

WAC 106-112-330 LEAVE FOR PREGNANCY. Appointing authorities must provide a pregnant woman leaves of absence for sickness or incapacity associated with pregnancy and for childbirth.

Leave of absence for pregnant women may include both paid and unpaid leave. Leave of absence for maternity will commence upon the request of the employee and extend until the employee is able to return to work. In all instances in which an employee requests maternity leave, the appointing authority may require the employee to provide a statement from a second physician of the ((College's)) university's choice attesting to the need for, and duration of the leave. The ((College)) university will bear the cost of an examination by a ((college)) university—designated physician.

An employee is eligible to use earned sick leave credits during maternity leave. In those instances in which an employee's sick leave credits are exhausted prior to her return to work, the employee's status will automatically revert from sick leave to leave of absence without pay.

Employees returning from an authorized maternity leave of absence must be employed in the same position or in another position in the same class, in the same geographic area and organizational unit providing that such reemployment is not in conflict with rules relating to reduction in force.

AMENDATORY SECTION (Amending Order 4075, filed 8/23/74)

WAC 106-112-340 LEAVE BENEFITS FOR PREGNANT WOMEN. Illness or absence from work

caused or contributed to by pregnancy, miscarriage, spontaneous, therapeutic or voluntary abortion, child-birth, and recovery therefrom are temporary disabilities and are treated as such under the ((College's)) university's sick leave policies provided that in the case of voluntary abortion care is administered prior to, during and after the abortion by a licensed physician.

AMENDATORY SECTION (Amending Order 4075, filed 8/23/74)

WAC 106-112-350 INSURANCE BENEFITS FOR PREGNANT WOMEN. Insurance contributions provided by the ((College)) university shall be equal for male and female employees.

AMENDATORY SECTION (Amending Order 4075, filed 8/23/74)

WAC 106-112-360 MARITAL STATUS AS RE-LATED TO PREGNANCY. Discrimination against pregnant women because of marital status is prohibited. The ((College's)) university's sick leave and disability policies including health insurance contributions, apply equally to married and unmarried pregnant women.

AMENDATORY SECTION (Amending Order 2, filed 1/13/72)

WAC 106-140-001 BUSINESS ENTERPRISES POLICY. The provisions of WAC 106-140-001 through 106-140-099 shall constitute the business enterprises policy of Central Washington ((State College)) University.

AMENDATORY SECTION (Amending Order 2, filed 1/13/72)

WAC 106-140-010 BUSINESS SALES. The soliciting, selling, exposing for sale, or offering to sell of any goods, services, articles, wares or merchandise of any nature whatsoever, within the boundaries of Central Washington ((State College)) University property is prohibited except by written permission of the Board of Trustees, president or his designee((;)): PROVIDED, That this section shall not apply to private, personal, noncommercial sales between individuals where no general or public solicitation, exposure for sale or offer to sell is involved, or to the soliciting, selling, exposing for sale, or offering to sell of individual books, newspapers, magazines, pamphlets and similar published materials.

AMENDATORY SECTION (Amending Order 2, filed 1/13/72)

WAC 106-140-011 BUSINESS SALES—RE-STRICTIONS. Central Washington ((State College))

University property and facilities may not be used for the activities set forth in WAC 106-140-010 unless such activities serve the purposes and needs of the ((College)) university and are sponsored by a ((College)) university department, agency, or recognized organizations. Such activities should only be permitted where they complement the services provided by local businesses.



AMENDATORY SECTION (Amending Order 2, filed 1/13/72)

WAC 106-140-020 ADVERTISING—AD-VERTISING IN RECOGNIZED STUDENT AND FACULTY PUBLICATIONS. Advertising in the following listed publications of the ((College)) university and its recognized student or faculty organizations is permitted within the requirements of journalistic policies, prices, rules and regulations established by each listed publication:

- (1) Campus Crier
- (2) Hyakem
- (3) Student and faculty directory
- (4) Village Review
- (5) KCWS
- (6) Athletic programs

AMENDATORY SECTION (Amending Order 2, filed 1/13/72)

WAC 106-140-021 ADVERTISING—ADVERTISING ON BULLETIN BOARDS. Advertising in order of priority, by students, ((college)) university employees and recognized organizations thereof on bulletin boards is approved but shall be subject to regulation by the dean of student((s)) development or his designated representative with respect to priority when there is a lack of space, and to the size and duration of the posting. This section applies to bulletin boards located at the following places:

Location

Users

(1) Samuelson Union Building Nature of advertisements: Activities of the sponsoring organizations only.

Student government activities
Campus sponsored groups
Campus sponsored events

(2) Mitchell Hall
Nature of advertisements:
Activities of the
sponsoring organization
only.

Student government activities
Campus sponsored groups
Campus sponsored events

(3) Bookstore
Nature of advertisements:
Activities of the
sponsoring organization
only.

All recognized campus organizations and students.

(4) Any additional ASC bulletin board space which may be All recognized campus provided by the ((College)) organizations.

university or by a recognized organization.

Nature of advertisements: Activities of the sponsoring organization only.

(5) Residence Halls
Nature of advertisements:
Activities of the
sponsoring organization
only.

All recognized campus organizations.

Advertising by other than Central Washington ((State College)) University affiliated or recognized groups is

not permitted at any time on ((College)) university property and will be removed upon discovery.

AMENDATORY SECTION (Amending Order 2, filed al./13/72)

WAC 106-140-030 PUBLICITY AND LITERATURE. Use of ((College)) university bulletin boards and ((College)) university property for publicity activity and dissemination of literature shall be permitted in the manner set forth in the provisions of WAC 106-140-030 through 106-140-039.

AMENDATORY SECTION (Amending Order 2, filed)/13/72)

WAC 106-140-031 PUBLICITY AND LITERA-TURE—OUTDOOR SIGNS. These signs may include banners, posters, stick signs, sandwich boards, or other types of signs. Any sign causing destruction of property will be removed upon discovery.

(1) Student activity signs approved by the Scheduling ((Office)) Center may be placed anywhere on the major walkways or malls immediately adjacent to the Samuelson Union Building.

(2) Stick signs and banners or posters may be posted in the immediate area of Commons and Holmes dining hall entrances. Signs in these areas will be limited to ((2)) two feet by ((3)) three feet in size. Pep banners or any other large signs to be posted in the immediate area of Commons or Holmes dining hall entrances must receive specific approval of the Scheduling ((Office)) Center and the director of Food Services.

(3) For Central Washington ((State College)) University student election campaigns, other areas such as the west end of Black Hall or the east end of Hertz Hall may be designated by the election committee subject to the approval of the ((College)) university official responsible for that area.

(4) All signs, banners, and posters on the physical property immediately surrounding dormitories must be approved by the Scheduling ((Office)) Center and housing manager.

(5) Signs shall not be posted on trees or doors anywhere on campus; any so placed may be removed and destroyed by Central Washington ((State College)) University and Central Washington ((State College)) University may charge the group or individual responsible for such sign placement for the labor required to restore the premises.

(6) Outdoor signs shall be removed within ((36)) thirty-six hours after an event.

(7) If signs and debris are not removed by the individuals or groups responsible for their erection within ((36)) thirty-six hours after an event, after warning the individual or group, the ((College)) university may take steps to remove the debris, litter or material and charge the group or individual responsible for such erection, installation or placement, for the labor required to restore the premises to the original condition.

AMENDATORY SECTION (Amending Order 2, filed 1/13/72)

WAC 106-140-034 PUBLICITY AND LITERATURE—FREE DISSEMINATION OF LITERATURE. Individuals may use campus walkways to disseminate free literature, except commercial advertising; however, such dissemination shall not be permitted to interfere with individuals entering or leaving buildings or with building occupants. This privilege may be revoked if deemed necessary by the ((College)) university. Dissemination of literature within any buildings, limited or restricted use areas, including the stadium or tennis courts, is prohibited.

AMENDATORY SECTION (Amending Order 2, filed 1/13/72)

WAC 106-140-036 PUBLICITY AND LITERATURE——COMMERCIAL ADVERTISING PROHIBITED. ((College)) University facilities and property shall not be used for commercial advertising by ((non-college)) nonuniversity groups or individuals.

AMENDATORY SECTION (Amending Order 2, filed 1/13/72)

WAC 106-140-050 SOLICITING AND SELL-ING OF PUBLISHED MATERIALS. The personal, noncommercial soliciting, selling, exposing for sale, or offering to sell by an person or persons, of any books, newspapers, magazines, pamphlets and similar published materials shall be permitted within the boundaries of Central Washington ((State College)) University property, provided that such published materials are not already available for sale at the ((College)) university, and shall be subject to regulation by the ((College)) university president or his designee as to the time, place, and manner thereof. Applications for permission to solicit or sell under this policy shall be submitted to the president or his designee ((24)) twenty-four hours prior to the time such use of the ((College)) university facilities is desired. The president or his designee shall establish the time, place and manner that such soliciting and selling shall occur within the boundaries of ((College)) university property. All rules and regulations, orders or directives adopted by the president or his designee pursuant to this section shall be promulgated.

AMENDATORY SECTION (Amending Order 4, filed /6/16/72)

WAC 106-140-101 USE OF ((COLLEGE)) UNI-VERSITY FACILITIES—BUSINESS OFFICE. The provisions of WAC 106-140-001 through 106-140-999 shall be reserved for policies on use of ((college)) university facilities under the supervision of the ((college)) University Business Office.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-110 TELEPHONE SER-VICES—LONG DISTANCE CALLS. Personal long distance calls may not be charged to any ((college)) university telephone number; any individual doing so shall pay for the cost of the toll charge, plus an additional penalty charge established by the ((College)) university. Long distance telephone calls may be placed from college telephones by charging the call to a ((non-college)) nonuniversity telephone number or to a credit card.

Repeated violations of this section may result in disciplinary action.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-111 TELEPHONE SER-VICES—REQUESTS FOR REPAIRS. All requests for repair of ((college)) university telephones are to be made with the ((college)) university telephone office.

AMENDATORY SECTION (Amending Order 2, filed 1/13/72)

WAC 106-140-053 SOLICITING AND SELL-ING OF PUBLISHED MATERIALS—TIME, PLACE AND MANNER OF SOLICITING AND SELLING OF PUBLISHED MATERIALS. Activity within the scope of WAC 106-140-050 shall be permitted subject to the following restrictions and limitations:

(1) 8:00 a.m. - 8:00 p.m. Monday - Friday

Area bounded by the Samuelson Union Building, Wildcat Shop, Walnut Street Mall and 9th Avenue Mall

Personal solicitation which does not interfere with classes in session or obstruct the free flow of traffic, and which is carried on without shouting, voice amplification or other noise louder than normal conversation, and without deliberate provocation, harrassment or disturbance of persons in the area; or any breach of the peace; and subject to the premises being restored to their original conditions is permitted. A registration permit is required and shall be issued by the Scheduling ((Office)) Center in the Samuelson Union Building and shall be in open view during the period of activity.

(2) 8:00 a.m. – 8:00 p.m. Monday – Friday

9th Avenue Mall

Personal solicitation which does not interfere with classes in session or obstruct the free flow of traffic is permitted. Voice amplification is also permitted providing amplifiers are used in a manner which does not materially and substantially interfere with the normal educational processes and do not collide with the rights of others. In no instance may amplifiers interfere with classes or the ongoing program of Central Washington ((State College)) University, nor shall there be any interference with other concurrently meeting groups. Deliberate provocation, harrassment or disturbance of persons in the area, or any breach of the peace is prohibited. Once the solicitation has ceased, the premises shall be restored to their original condition. A registration permit is required and shall be issued by the Scheduling ((Office)) Center in the Samuelson Union Building and shall be in open view during the period of activity.

(3) Additional facilities may be designated by the president or his designee upon specific request.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-112 TELEPHONE SER-VICES—APPROVAL OF INSTALLATIONS. Telephones may be installed on the Central Washington ((State College)) University campus only with the approval of the director of Auxiliary Services or his designee.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-113 TELEPHONE SER-VICES—RIGHT TO RESTRICT OR MODIFY SERVICES. The ((College)) university reserves the right at any time it deems necessary to restrict or change:

(1) the telephone services,

(2) access to controlled long distance networks,

(3) the hours of having operators on duty,

(4) the amounts and types of information it will make available to the public through the telephone office.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-120 MOTOR ((POOL-COL-LEGE)) POOL-UNIVERSITY VEHICLES—((COLLEGE)) UNIVERSITY PERSONNEL. ((College)) University vehicles shall be utilized and operated only by ((college)) university employees, or students of Central Washington ((State College)) University authorized by ((college)) university officials.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-140 BUSINESS OFFICE HOURS—CASHIER. The Central Washington ((State College)) University Business ((Office)) Cashier's Office will be open for business during the hours posted by the ((college)) university controller or his designee.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-146 CHECK CASHING-CASHIER'S OFFICE—PARTIAL RETURN IN CASH. When payment is made on a ((college)) university account with a check from a third party and the ((College)) university is payee, for an amount equal to or less than the amount owed, the ((College)) university will not return any portion of the check to the holder unless authorization is received from the maker of the check. The ((College)) university reserves the right at all times to refuse to accept a check.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-150 ((COLLEGE)) UNIVERSITY BOOKSTORE—REFUNDS. The ((College)) University Bookstore will give a refund of the purchase price for only required text books for credited classes currently in session at Central Washington ((State College)) University and for defective merchandise, in the following manner:

(1) Refunds shall be made only for the first five

(((5))) days after the beginning of classes; and

(2) Central Washington ((State College)) University Bookstore cash register sales receipt dated not more than seven (((7))) days from date of sale for the book or books shall be required; and

(3) Books must be in new condition; unmarked and

free of damage; and

- (4) Central Washington ((State College)) University identification card of current validation shall be required; and
- (5) No cash refunds shall be made for books purchased with a credit card; and
- (6) Defective merchandise is refundable only if returned within a reasonable time as determined by the ((College)) University Bookstore manager, or his designee, and a Central Washington ((State College)) University Bookstore sales receipt for that item and identification shall be required.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-151 ((COLLEGE)) UNIVERSITY
BOOKSTORE—USED BOOK PURCHASES. The
((College)) University Bookstore shall purchase used
books in the following manner:

(1) No more than fifty percent (((50%))) of list price shall be paid for used books; and

(2) Books shall be in saleable condition; and

- (3) Overmarked or damaged books shall not be purchased; and
- (4) Overstocked books and books not being used again the following quarter or session shall be purchased at market value; and
- (5) Central Washington ((State College)) University identification of current validation shall be required.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-152 ((COLLEGE)) UNIVERSITY BOOKSTORE—BOOKSTORE CHECK CASHING POLICY. The ((College)) University Bookstore shall cash personal checks in the following manner:

(1) Current validated Central Washington ((State College)) University identification shall be required; and

(2) Check shall be customer's own personal check with bank number printed on the check, except that payroll checks will be honored for a limited amount provided current validated Central Washington ((State College)) University identification is presented; and

(3) Check shall be for the amount of purchase, except that a check for cash or over the amount of purchase

may be accepted when cash is available, provided that the bookstore may establish minimum and maximum amount limits at management's discretion; and

(4) Checks shall not be accepted from anyone with a history of writing checks that banks will not honor.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-153 ((COLLEGE)) UNIVERSITY BOOKSTORE—METHODS OF PURCHASE. All sales shall be paid by cash, check, or money order at the time of purchase, except under the following conditions:

(1) When arrangement for payment has been made

through the ((College)) university; or

(2) Sales to departments, residence halls, and campus organizations when purchase is made by authorized personnel; or

(3) ((Sales to college full time faculty and staff with Central Washington State College identification; or

(4))) Sales to holders of accepted credit cards, subject to the requirements and restrictions of the firm issuing the credit card.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-154 ((COLLEGE)) UNIVERSITY BOOKSTORE—BOOK ORDERS. The ((College)) University Bookstore may order books and other merchandise for customers when they are not currently available in the store; a deposit or the full purchase price in advance may be required for certain items depending on their nature and their cost; deposits paid for special orders may be subject to forfeiture if the order is cancelled or if the merchandise is not purchased within seven $((\frac{7}{1}))$ days after receipt of merchandise in the ((College)) University Bookstore unless other arrangements have been approved by the bookstore manager.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72

WAC 106-140-156 ((COLLEGE)) <u>UNIVERSITY</u> BOOKSTORE— PACKAGES. The public is required to leave all packages, books, supplies, packs, bags, large handbags, etc., outside the ((College)) University Bookstore sales display area, provided that those carried in shall be subject to search prior to leaving the sales display area.

AMENDATORY SECTION (Amending Order 4, filed.) $\int_{0.000}^{0.0000} \frac{12.00}{6/16/72}$

WAC 106-140-157 ((COLLEGE)) <u>UNIVERSITY</u> -ANIMALS PROHIBITED. No an-BOOKSTORE imals of any kind are allowed in the ((College)) University Bookstore.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-158 ((COLLEGE)) UNIVERSITY BOOKSTORE—SALES RESTRICTIONS. Only merchandise or items sold by the ((College)) University Bookstore as a part of its operation may be sold within the ((College)) University Bookstore premises.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-159 ((COLLEGE)) UNIVERSITY **BOOKSTORE**— HOURS. The hours that the ((College)) University Bookstore shall be open for business shall be those posted by the bookstore manager or his designee.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-140-160 USE OF ((COLLEGE)) UNI-WERSITY MAILING AND STATIONERY SER-VICES. No one may employ ((college)) university stationery, services (mail, duplicating, equipment, etc.) and supplies for personal use or for organizations not sponsored solely by the ((College)) university.

AMENDATORY SECTION (Amending Order 27, filed 4/22/76)

WAC 106-156-010 STUDENTS REQUIRED TO LIVE IN ((COLLEGE)) UNIVERSITY RESIDENCE HALLS. All full time single freshman and sophomore students of Central Washington ((State College)) University under ((21)) twenty-one years of age are required to live in ((College)) university residence hall facilities. Residence hall facilities do not include apartments for single or married students.

AMENDATORY SECTION (Amending Order 27, filed 4/22/76)

WAC 106-156-012 STUDENTS REQUIRED TO LIVE IN ((COLLEGE)) UNIVERSITY RESIDENCE ThALLS--DEFINITIONS. Definitions of exceptions as stated in WAC 106-156-011 shall mean and are defined as follows:

- (1) Living with shall mean those whose domiciles are in the place of residence of a parent or relative and will be commuting from such place of residence on a daily
- (2) Parents or relatives shall mean a parent, legal guardian, grandparent, brother, sister, aunt, uncle, or first cousin.
- (3) Medical reason shall mean a medical problem that shall require a student to live in other than a ((college)) university residence hall. Written verification of the medical problem and the requirement not to live in a residence hall must be obtained and submitted from a licensed physician or licensed psychologist.
- (4) Employment in ((non-college)) nonuniversity housing and housing and/or board is part of their overall compensation received shall mean employment for an established place of business or for an established family unit when a landlord/employer requires the student to reside where the work is performed and a substantial portion of the rent and/or room and board is reduced as



a part of the overall compensation for the work performed for the landlord/employer at the place of the residence of the student.

(5) Completed six (((6))) quarters as a full time student shall mean enrollment in and completion of a minimum of ten (((10))) credit quarter hours of academic work in each of the six quarters.

AMENDATORY SECTION (Amending Order 27, filed 4/22/76)

WAC 106-156-013 STUDENTS REQUIRED TO LIVE IN ((COLLEGE)) UNIVERSITY RESIDENCE HALLS—VERIFICATION AND TIME REQUIREMENT. Acceptable written verification shall be provided to the ((College)) university for all exceptions at the time the request for an exception is made.

(1) A currently enrolled student wishing to apply for an exception to the ((College)) university housing policy as set forth in WAC 106-156-010 shall reduce such request to writing and file it as required by the director of Auxiliary Services no later than 5:00 p.m. on the last day of the fifth week of classes in the quarter preceding the quarter the exception is requested for.

(2) A newly admitted or reenrolling student who has not been enrolled as a student at Central the previous quarter wishing to apply for an exception to the ((College)) university housing policy as set forth in WAC 106-156-010 shall reduce such request to writing and file such request in the office of the director of Auxiliary Services as required by the director of Auxiliary Services within ((20-())twenty(())) days after such student's acceptance to the ((College)) university; however, in no event later than 5:00 p.m. on the day following such student's day of registration.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-020 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBIL-ITIES. The applicant for residence hall or single student apartment accommodations shall acknowledge by signature at the time of application that he has read and does understand the "Terms and Conditions of Residence" and if accepted for admission by Central Washington ((State College)) University agrees to abide by the rules and regulations of Central Washington ((State College)) University, and by the terms and conditions of residence. Applications for residence hall or single student apartment accommodations will be accepted from those who have not yet been officially admitted or employed by Central Washington ((State College)) University, but who have indicated an intent to attend or be employed by the ((College)) university during the dates listed on the application. Residence hall and single student apartment applications and the contract with its "Terms and Conditions of Residence" may be obtained at the Central Washington ((State College)) University Housing Office. The application for accommodations, together with the required deposit, are to be submitted to the Office of the Housing and Food Service Cashier.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

//WAC 106-156-015 ELIGIBILITY FOR ((COL- LEGE)) UNIVERSITY FAMILY HOUSING. Generally eligibility to lease and occupy ((College)) university family housing is limited to students, full time faculty, and full time staff members of the ((College)) university. A student is one who maintains a minimum of twelve $((\frac{12}{12}))$ quarter hours as an undergraduate student or ten (((10))) quarter hours as a graduate student, exclusive of correspondence courses. Concurrent enrollment of husband and wife to maintain the minimum hours does not fulfill this requirement. This regulation applies to each quarter, with the exception of a tenant living in family housing during spring quarter who wishes to remain as a nonstudent during the summer. He may do so if he indicates in writing his intention to re-enroll fall quarter.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-016 ELIGIBILITY FOR ((COL-LEGE)) UNIVERSITY FAMILY HOUSING— LOSS OF ELIGIBILITY GROUNDS FOR TERMI-NATION OF LEASE. Leases are terminable by the ((College)) university if the tenant ceases to be a student, as defined in WAC 106-156-015, a full time faculty, or a full time staff member of the ((College)) university.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-022 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES—ACCOMMODATION ASSIGNMENTS—RESIDENCE HALLS AND SINGLE STUDENT APARTMENTS. Assignments to all residence halls and single student apartments are determined by the date the deposit is received, the ((College)) university program for a facility, and according to age, sex, and ((College)) university status, and according to the following priority for students, faculty and staff:

(1) Students, faculty and staff who lived in the accommodations the previous quarter.

(2) Students, faculty and staff returning to the campus from an off-campus program.

(3) Students, faculty and staff the previous quarter who did not live in the accommodations.

(4) Those who were not students, faculty or staff the previous quarter.

The ((College)) university reserves the right to change the basis of assignments whenever the director of Housing deems necessary.

Contracts are terminable by the ((College)) university if the tenant ceases to be a student, as defined in WAC 106-156-015, a full time faculty, or a full time staff member of the ((College)) university.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-023 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES—HOUSING AND FOOD SERVICE RATES. All occupants of residence halls and single student apartments are required to pay rates that have been established by the Board of Trustees of Central Washington ((State College)) University. Rates for residence halls include room and board. Rates for single student apartments include room only. The published rental room and board rates do not include extra services or charges that may be requested by or assessed to the tenant, as previously established by the director of Auxiliary Services, or his designee.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-025 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES—EXTRA SERVICES. When extra services are provided by the ((College)) university there will be a previously established charge or a charge based upon the ((College's)) university's cost, for the service that must be paid by the person, persons, or group receiving these services. Items of this nature include, but are not limited to, rental refrigerators, rental of linen, rental of extra furniture, etc.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-026 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES—NONDISCRIMINATORY ASSIGNMENT. Assignment to all ((College)) university housing facilities are made without reference to race, creed, or color.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-027 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES—DEPOSIT REQUIRED. When applying for housing accommodations a completed application as well as a deposit must be submitted to the ((College)) university.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-030 CONFERENCES AND WORKSHOPS—PARTICIPANTS. To the extent that facilities are available, Central Washington ((State College)) University will accommodate conferences and workshops for a charge that has been previously established and as agreed to by the ((College)) university and those acting for the workshop or conference. Participants must abide by Central Washington ((State College's)) University's rules and regulations.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-040 PAYMENT—THIRD PARTY REQUIREMENTS. When payment on a contract, lease, or rental agreement is made with a check from a third party and the ((College)) university is payee, for an amount equal to or less than the amount owed, the ((College)) university will not return any portion of the check to the tenant unless authorization is received from the writer of the check.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-051 USE OF HOUSING FACILITIES—BICYCLES AND MOTORCYCLES. Motorbikes may not be stored or kept inside ((College)) university housing facilities, entry-ways, or passageways. Bicycles may not be stored or kept in entry-ways or passage-ways or other places designated by the director of Housing Services, or his designee.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-052 USE OF HOUSING FACILITIES—LAUNDRY FACILITIES. ((When)) Locks have been installed on the laundry rooms in ((College)) university housing facilities, the apartment or room key will unlock these facilities. Doors must be kept locked to enable only the residents of ((College)) university—owned housing to use the washers, dryers, and other laundry equipment, as this equipment is located within the facilities for the use of the occupants only. All residents are required to present identification to any housing employee at any time requested. Those who are not residents and who use laundry equipment and facilities and those residents who allow other((s)) than occupants to use laundry equipment and facilities are subject to a previously established charge.

AMENDATORY SECTION (Amending Order 7, filed 7, filed 7)

WAC 106-156-053 USE OF HOUSING FACILITIES—ROOM INSPECTION. (1) The ((College)) university reserves the right to have authorized personnel enter any unit for the purpose of inspection, repairs, and official business.

(2) "Official business" as used in <u>subsection</u> (1) above shall mean any situation where there is a reasonable cause to believe that an emergency or danger exists involving threat or injury to life, limb, or property.

(3) "Authorized personnel" as used in <u>subsection</u> (1) above shall include emergency personnel, ambulance personnel, firemen, doctors and nurses, campus security, and the following groups of ((College)) <u>university</u> employees: maintenance men, housing personnel, head residents, and resident assistants.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-056 USE OF HOUSING FACILI--ASSOCIATE MEMBERS. An associate member of a residence hall is a student of Central Washington ((State College)) University who does not live in a residence hall, who has applied, and has been approved by the director of Housing Services for associate membership in a particular residence hall. The associate member may participate in residence hall activities. An associate member may use the common use areas within the residence hall; however, the associate member may not use the laundry facilities; or may not use a student's room unless invited as a guest by the person assigned to that room. The associate member must sign a residence hall associate member application which indicates the acceptance of the individual to abide by and support the rules and regulations as set forth by Central Washington ((State College)) University. The ((College)) university reserves the right to terminate the associate membership if the associate member is proven to be in violation of these rules and regulations.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-060 FAMILY HOUSING APPLICANTS. Applications for family housing will be accepted from students who have not yet been officially admitted to Central Washington ((State College)) University, but who have indicated an intent to attend during the dates listed on their applications. Family housing applications may be obtained at the Central Washington ((State College)) University Family Housing Office. The application, together with the required deposit, are to be submitted to the Office of the Housing and Food Service cashier.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-061 FAMILY HOUSING APPLICANTS—ACCOMMODATION ASSIGNMENTS—FAMILY HOUSING. Apartments are assigned on the basis of the date the ((College)) university receives the deposit, and the size of the family. Accommodations are provided for only immediate family: Husband, wife, their children, or others who are declared dependents for income tax purposes.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-063 FAMILY HOUSING APPLICANTS—MARRIAGE CERTIFICATE. A valid marriage certificate shall be furnished to the ((College)) university upon request.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-064 FAMILY HOUSING APPLICANTS—FAMILY HOUSING DEPOSIT REQUIREMENTS. Those who have applied for family

housing are required, in addition to the payment of the deposit at the time of application, to pay to the ((College)) university a previously established additional deposit of their rent in the amount and by the time required by the ((College)) university. Failure of the applicant to pay the additional deposit either in the amount or by the time required by the ((College)) university will result in the applicant being by-passed when the ((College)) university is assigning family housing accommodations. The ((College)) university may at its option extend the payment date to a later time of its option when there is a need of the applicant to pay at a later date. When an applicant cancels his application after paying the deposits, all losses in rent income up to the amount paid will be deducted before any refund, if any, will be made.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-065 FAMILY HOUSING APPLICANTS—LEASE REQUIRED. All tenants of Central Washington ((State College)) University family housing are required to sign a lease, rental agreement or contract. By the signing of the lease, rental agreement or contract, the individual agrees to abide by and support any and all existing or future rules as set forth by Central Washington ((State College)) University. The ((College)) university reserves the right to terminate any lease, rental agreement, or contract if the resident is proven to be in violation of any rules and regulations or found withdrawn from classes or cancelled registration.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-066 FAMILY HOUSING APPLICANTS—FAMILY HOUSING RATES. All tenants of family housing are required to pay rent that has been established by the Board of Trustees of Central Washington ((State College)) University. The published rental and room and board rates do not include extra services or charges that may be requested by or assessed to the tenant.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-075 FOOD SERVICES--PER-SONS ELIGIBLE TO PURCHASE AN OFF-CAM-PUS MEAL TICKET. Students, faculty and staff not living in ((College)) university residence halls may purchase an off-campus meal ticket. Those wishing to purchase an off-campus meal ticket must sign a contract. The person agrees to pay the amount specified for the meal plan contracted for at the time of purchase. Prices for off-campus meal tickets are previously established by the director of Auxiliary Services. The services provided by the meal ticket are not transferrable to any other person. This contract is for a full quarter or the remaining part thereof. Payment for the off-campus meal ticket shall be in accordance with a payment schedule. If a payment is not made according to the payment schedule, a previously established additional charge is assessed,

plus another previously established charge is added per additional business week. If payment or arrangement for late payment is not made by the first day of the following month, the student's registration is subject to cancellation.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-156-076 FOOD SERVICES—CHOICE OF SERVINGS AND SECONDS. Those eating in the dining hall may generally choose one serving from each of the items offered in the serving area, for example entrees, salads, desserts, etc. They may later, during that meal period, obtain additional servings at the place designated in the dining facility. An unlimited number of additional servings are generally available provided the previous serving has been eaten and provided the procedures as required in the dining hall are followed. The ((College)) university reserves the right to restrict items available for seconds.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-001 ADMISSION AND REGISTRATION PROCEDURES AND CATALOG REQUIREMENTS. The provisions of WAC 106-160-001 through 106-160-099 shall contain admission and registration procedures and catalog requirements of Central Washington ((State College)) University.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-002 ADMISSION AND REGISTRATION PROCEDURES AND CATALOG REQUIREMENTS—CHANGES IN CATALOG. The Board of Trustees reserves the right of the Board of Trustees or president to make changes in any of the provisions of the ((College's)) university's catalogs without prior notice. When changes are made, the changes shall be filed in the office of the president and other appropriate ((College)) university offices and placed with the appropriate catalog in the reference area of the library.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-005 FINANCES. Each applicant for admission to Central Washington ((State College)) University must pay the tuition and fees as established by the Board of Trustees or the president prior to the dates for payment as designated by the Board of Trustees or the president.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-006 FINANCES—TUITION REFUND SCHEDULE. The prepayment is a nonrefundable fee. (1) A student will receive a 50% refund of his tuition and general fees (less prepayment) if his

withdrawal from the ((College)) university occurs by the last day of the "Change of Schedule" period as designated by the Board of Trustees or the president of the ((College)) university.

(2) A student will receive a 25% refund of his tuition and general fees (less prepayment) if his withdrawal from ((College)) university occurs between the end of the "Change of Schedule" period and the time established for such final withdrawal as designated by the Board of Trustees or president and published in the catalog.

(3) There is no refund of tuition and general fees after the final date for withdrawal as established by the Board of Trustees or the president.

(4) Students may receive a full refund (less prepayment) only if notification of withdrawal from ((College)) university is received by the ((College)) university prior to the first day of classes.

(5) Part time students are not eligible for a refund (less prepayment) of tuition unless they cancel their registration before the first day of classes or unless they show extenuating circumstances.

AMENDATORY SECTION (Amending Order 3, filed /2/28/72)

WAC 106-160-007 FINANCES——SANC-TIONS. Admission to or registration with the ((Colege)) university, conferring of degrees and issuance of academic transcripts may be withheld for failure to meet financial obligations to the ((College)) university.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-010 GRADUATING STUDENTS. Students shall submit their applications for the appropriate degrees on or before the date designated for that purpose by the Board of Trustees or the president, which shall be published in the appropriate ((College)) university catalog. No application shall be accepted after the designated dates, provided that the president or his designee may waive this requirement.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-015 REGISTRATION. Currently enrolled students and all other individuals desiring to enroll in Central Washington ((State College)) University shall do so on or before the preregistration or registration dates designated by the Board of Trustees or president, which shall be published in the appropriate ((College)) university catalog. No registration or preregistration shall be accepted after the designated dates((7)): PROVIDED, That the registrar may, whenever possible, waive this requirement within the time designated by the Board of Trustees or president for late registration.







AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-016 REGISTRATION—DEADLINES. All students registering with the ((College)) university must meet those deadlines as established by the Board of Trustees or the president for registration.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-017 REGISTRATION—CHANGES IN REGISTRATION AND WITH-DRAWAL. Students who wish to change their registration or withdraw from a particular course or the ((College)) university after having completed their registration must do so on or before the dates established for such changes or withdrawal by the Board of Trustees or president and by the completion of the "Change in Registration" or "Withdrawal" forms maintained by the ((College)) university. Students who leave the ((College)) university and do not withdraw shall receive failing grades for work not completed.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-020 ADMISSION REQUIRE-MENTS—TO FRESHMAN STANDING. Applicants who have had no ((college)) university work may apply for admission under one of the following provisions:

Applicants who have graduated from a (1) Washington state high school and whose records show a cumulative high school grade point average which meets the minimum requirements for admission as established by the ((College)) university will be considered for admission to the ((College)) university. These applicants may apply for admission to the ((College)) university under the "Early Admissions Plan" at the close of their sixth semester if their records show a cumulative high school grade point average at or above the minimum established and required by the ((College)) university for admission. The "Uniform Application for Admission to colleges and universities in the state of Washington" should be filed with the office of Admissions at the close of the sixth semester but not before that date occurring in the applicant's senior year as established by the Board of Trustees or the president after which applications for admission will be accepted by the ((College)) university. An applicant under the "Early Admissions Plan" is not officially admitted to the ((College)) university until his graduation records are on file with the office of Admissions and indicate that he has fulfilled the general requirements for admission to the ((College)) university. Applicants whose cumulative grade point average is below that required by the ((College)) university for admission may be considered for admission to the ((College)) university only if space and facilities permit. Such applicants are encouraged to file the "Uniform Application for Admission to colleges and universities in the state of Washington" at the close of their sixth semester but not before that date occurring in their senior

year as specified by the Board of Trustees or president after which applications for admission to the ((College)) university will be accepted.

(2) Applicants who have graduated from a high school in other states must meet the standards of admission as established by the Board of Trustees or the president as published in the appropriate ((College)) university catalog and may be considered for admission to the ((College)) university only if space and facilities permit and must file their application for admission on or after the date established under subsection (1) above.

(3) Applicants who have not graduated from a high school may be considered for admission to the ((College)) university on the basis of the results of the "General Education Development Examination" which they may be required to take after having conferred with the appropriate ((College)) university officials, provided they are at or over the age established by the Board of Trustees or president for admission of such applicants; all other applicants are encouraged to complete high school requirements before applying for admission.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-021 ADMISSION REQUIRE-MENTS—PROSPECTIVE STUDENTS. All prospective students applying for admission to the ((College)) university or to any program of the ((College)) university must file appropriate applications for admission and other required documents not later than the established deadline. Applicants must be officially admitted to the ((College)) university to enroll in classes.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-023 ADMISSION REQUIRE-MENTS—ADMISSION OF INTERNATIONAL STUDENTS. (1) All international students applying for admission to Central Washington ((State College)) University must submit those forms and meet the requirements established by the Board of Trustees or president for admission of international students to Central Washington ((State College)) University to the office of Admissions.

(2) All international students applying for admission to Central Washington ((State College)) University for whom English is not a native tongue are required to demonstrate proficiency in the English language by submitting the results of the "Test of English as a Foreign Language" to the office of Admissions.

AMENDATORY SECTION (Amending Order 3, filed \$\frac{2}{28/72}\)

WAC 106-160-024 ADMISSION REQUIRE-MENTS—READMISSION OF FORMER STU-DENTS. A student previously enrolled in the ((College)) university, planning to return after an absence of one or more quarters (not including summer session), must file a reenrollment application with the ((College)) university office of Admissions not later than the established deadline.

AMENDATORY SECTION (Amending Order 30, filed 8/12/76)

WAC 106-160-026 ADMISSION REQUIRE-MENTS—ADMISSION OF NONMATRICULAT-ED STUDENTS. A nonmatriculated student is one who is authorized to enroll for study but does not intend to pursue a degree or certificate program. Each student will be required to sign a statement indicating that published admission criteria to the ((college)) university have been met. Enrollment may not exceed nine credits a quarter. Subject to approval, up to forty-five quarter credits earned with nonmatriculated status may later be applied to a baccalaureate degree should formal admission to the ((college)) university be granted.

High school students may enroll with nonmatriculated status only if they have a signed release from their school principal.

Students wishing to audit courses may enroll with nonmatriculated status.

Nonmatriculated students will be enrolled on a space, available basis.

AMENDATORY SECTION (Amending Order 21, filed 7/11/75)

WAC 106-160-027 ADMISSION REQUIRE-MENTS—ADMISSION OF VETERANS. Central Washington ((State College)) University has established an open enrollment policy to the ((College)) university regarding eligible veterans, war widows, war orphans, and others drafted for alternative services. This preferential treatment will be given to those academically qualified above-mentioned persons regardless of any enrollment limitations set by this institution.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106−160−030 ADMISSION REQUIRE-OMENTS--APPLICATION FOR STUDY LEAD-ING TO A MASTER'S DEGREE. Applicants for admission to graduate study must make application on the "((College)) University Admission Form" and the "Application for Admission to Graduate Study" provided by Central Washington ((State College)) University. Both forms must be returned to the office of Admissions prior to the dates established by the Board of Trustees or president for such application. Each applicant for graduate study is required to have two $((\frac{2}{2}))$ official transcripts of all undergraduate and graduate study sent directly to the office of Admissions. Three $((\frac{3}{2}))$ letters of recommendation should be sent to the Graduate Office directly from the persons making the recommendations. Two of the letters should come from instructors familiar with the applicant's academic preparation. Scores on the aptitude test and appropriate advanced test of the graduate record examination must be submitted to the Graduate Office before admission to graduate study will be considered.

AMENDATORY SECTION (Amending Order 3, filed /2/28/72)

WAC 106-160-031 ADMISSION REQUIRE-MENTS—APPLICATION FOR FIFTH YEAR OR NONDEGREE STUDY. The "((College)) University Admission Form" and the "Application for Admission to Graduate Study" supplied by the ((College)) University must be filed with the office of Admissions prior to the deadlines as established by the Board of Trustees or the president for the submission of such applications for admission to the ((College)) university. In addition to the filing of the application, two (((2))) official transcripts of all undergraduate and graduate study must be sent directly to the office of Admissions.

(1) An applicant for fifth year certification must contact the office of Teacher Education ((Advisement)) and Certification to organize an approved program.

(2) Admission to nondegree study is subject to the approval of the Graduate Office.

(3) An applicant admitted to <u>nondegree study</u> desiring to apply for degree study must reapply for admission to graduate study.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-032 ADMISSION REQUIRE-MENTS--ADMISSION PROCEDURE. Applicants for graduate study may not be admitted where they have not completed all the application requirements. Admission to master's degree study is determined by the Graduate Office upon the recommendation of the department involved. A formal letter of admission will be directed to the student from the Graduate Office. Applicants not meeting the scholastic requirements may be admitted on probation provided the department to which admission is requested recommends admission to master's degree study. If admitted, the student must meet those requirements as established by the ((College)) university for his progress in the ((College)) university. Upon the recommendation of the appropriate department, applicants may be admitted to masters' programs with additional conditions stipulated.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-035 ADMISSION REQUIRE-MENTS—ADMISSION TO CREDENTIAL PRO-GRAM. Admission to the ((College)) university as a student does not constitute admission to the teacher education program. Students who plan to work toward a teaching certificate must apply to the director of Teacher Education ((Advisement)) and Certification.

AMENDATORY SECTION (Amending Order 3, filed 2/28/72)

WAC 106-160-040 SUMMER SESSION AD-MISSION AND REGISTRATION PROCEDURES. Students registering for summer session must pay all fees and complete registration on or before the dates indicated on the calendar as published in the summer session bulletin. Students planning to attend the entire summer session, the first or second term only must complete admission procedures by the date so specified and register on the date so specified by the Board of Trustees or president for such purposes, as published in the summer session bulletin. All summer session students must pay fees and tuition to the appropriate ((College)) university office as established by the Board of Trustees or the president, as published in the summer session bulletin.

AMENDATORY SECTION (Amending Order 2, filed 1/43/72)

WAC 106-164-901 BOND BID POLICIES AND PROCEDURES. The provisions of WAC 106-164-901 through 106-164-999 shall constitute the bond bid policy and procedure of Central Washington ((State College)) University.

AMÉNDATORY SECTION (Amending Order 2, filed 1/13/72)

WAC 106-164-910 BOND BID PROCEDURES AND REQUIREMENTS. The Board of Trustees shall authorize the sale of bonds. A notice of bond sale shall be prepared by bond legal counsel and be forwarded to the ((College)) university for authorization and signature. Bond counsel shall then submit this notice of bond sale to bond buyers via bond advertising media.

AMENDATORY SECTION (Amending Order 2, filed 1/13/72)

WAC 106-164-912 BOND BID PROCEDURES AND REQUIREMENTS—TIME OF FILING AND LATE BIDS. The date and hour specified for the receipt of the bids by the ((College)) university shall be strictly observed; no late bids shall be accepted. A "late bid" shall be one that is tendered any time after the designated time for receipt of bids.

AMENDATORY SECTION (Amending Order 9, filed 10/16/72)

WAC 106-168-001 CENTRAL WASHINGTON ((STATE COLLEGE)) UNIVERSITY LIBRARY.

The library at Central Washington ((State College))

University exists first and foremost to serve the students and faculty. It also serves the rest of the ((college)) university community, the regional needs of central Washington and the general scholarly community.

AMENDATORY SECTION (Amending Order 9, filed 10/16/72)

WAC 106-168-002 PRIORITIES OF SERVICE. Policies are designed to serve the greatest number as fully as possible while maintaining some flexibility to meet individual needs. In serving students and faculty, the library gives the first priority to student learning and

faculty teaching activities directly related to the instructional program of the ((college)) university; second priority to faculty research; third priority to informal learning experiences for students and student services; and fourth priority to general resources and services appropriate to some segment of the population served. Decisions regarding library services and resources will reflect the foregoing priorities. Any necessary cutbacks will affect the lower priority items first. Determinations of instructional use shall be made by library administrators.

AMENDATORY SECTION (Amending Order 9, filed 10/16/72)

WAC 106-168-005 PRIORITIES OF SERVICE—SELECTION OF SERVICES, PERSONNEL, RESOURCES. It is the policy of the Central Washington ((State College)) University library to select on the basis of what is best and most suitable whether the choice involves staff members, library materials and equipment and services. The library expressly rejects any form of negative selection based on censorship of materials or prejudicial considerations based upon race, religion, sex, national origin or political viewpoint.

AMENDATORY SECTION (Amending Order 9, filed 10/16/72)

the donations of books and other library materials as well as money to be used for the library. Valuation of gifts for tax purposes will be based upon information available in the library and assessment of value incurs no liability of proof by the library. Gifts become library property when accepted and received, and their disposition is a library matter. The ((College)) university through the Board of Trustees or the dean of library services reserves the right to reject, refuse to accept or return to the donor any gift made available to the Central Washington ((State College)) University library.

AMENDATORY SECTION (Amending Order 9, filed 10/16/72)

WAC 106-168-050 LIBRARY BORROWERS. Use of the library as part of a state public institution is the right of any resident of the state; however, borrowing privileges and other services may be limited in order to serve first the primary clientele of students and faculty. Use of the library may be denied to anyone for continuing abuse of library services and resources. Library materials may be circulated to the following:

- (1) Regularly enrolled students either full time or part time including those student teaching.
 - (2) Graduate students on continuous registration.
- (3) Faculty members including special categories as visiting professors, and emeriti faculty.
- (4) Faculty members of public higher education institutions of Washington state.
- (5) Administrative staff (civil service exempt) including retired members designated distinguished.

- (6) Civil service staff members including retired members designated distinguished.
 - (7) Spouses of faculty and staff members.
 - (8) Friends of Library Life members.
- (9) Trustees of Central Washington ((State College)) University.
- (10) Libraries and individuals through libraries using interlibrary loans.
- (11) Extension and correspondent students with special library cards.
- (12) Individuals who pay an annual or semi annual fee.
- (13) School districts, ((colleges)) universities and other responsible agencies, groups and individuals may borrow films on a rental basis. Equipment may be rented if not needed on campus and not otherwise available in Ellensburg.

AMENDATORY SECTION (Amending Order 35, filed 7/13/77)

WAC 106-172-700 PURPOSE. The purpose of WAC 106-172-700 through 106-172-799 is to set forth the policies of Central Washington ((State College)) University regarding the legitimate and appropriate use of official student records developed and used throughout the various offices of the ((College)) university. Moreover, the guidelines implement the general policy and respond to the requirements of Public Law 93-380, The Family Educational Rights and Privacy Act of 1974.

AMENDATORY SECTION (Amending Order 35, filed 7/13/77)

- WAC 106-172-711 DEFINITIONS. The following definitions shall apply for the interpretation of these regulations:
- (1) The "((College)) university" means Central Washington ((State College)) University or any office, department, or any unit thereof which maintains "educational records."
- (2) "Directory information" means the student's name, hometown address, ((college)) university address and telephone number, date of birth, participation in officially recognized activities and sports, dates of attendance, class, previous institutions attended, major field of study, awards, honors (including honor roll), degrees conferred (including dates), and other similar information. The ((College)) university may release directory information concerning a student to the public unless the student submits a signed request in writing, within two weeks after the first day of classes for the fall quarter. Requests for nondisclosure will be sent to the ((College)) university Information Office, who will record the request and forward it to the Registrar's Office, where the information to prevent disclosure will be entered in the computer. Authorization to withhold directory information must be filed annually since the request for nondisclosure will be honored by the ((College)) university for only one academic year. The ((College)) university may disclose directory information of a student no longer in attendance (i.e., alumni) without meeting any of the requirements noted above.

- (3) "Eligible student" means any person who is or has been officially registered at this ((College)) university and who has reached the age of ((18)) eighteen.
 - (4)(a) "Education records" mean those records which:
 - (i) are directly related to a student, and
- (ii) are maintained by the ((College)) university or by a party acting for the ((College)) university.
- (b) The term education record does not include the following:
- (i) records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker of the record and which are not accessible or revealed to any other person except a temporary substitute;
- (ii) records of the campus police which are maintained separately and solely for law enforcement officials of the same jurisdiction—provided that education records maintained by the ((College)) university are not disclosed to the law enforcement unit;
- (iii) records of someone employed by the ((College)) university, which are made in the normal course of business, related exclusively to the person as an employee, and are not used for any other purpose;
- (iv) records made by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional directly related to the treatment of a student, and not disclosed to anyone other than individuals providing treatment provided records can be reviewed by a physician or other appropriate professional of the student's choice;
- (v) records of a person after he or she is no longer in attendance (i.e., information maintained by the ((Coltege)) university concerning the accomplishments of its alumni).
- (5) "Personally identifiable" means that the data or information includes:
- (a) the name of a student, the student's parent, or other family member,
 - (b) the address of the student.
- (c) a personal identifier, such as the student's social security number or student number,
- (d) a list of personal characteristics which would make the student's identity easily traceable, or
- (e) other information which would make the student's identity easily traceable.
- (6) "Record" means information or data recorded in any medium including but not limited to: handwriting, print, tapes, film, microfilm, and microfiche.
- (7) "Financial aid" means a payment of funds provided to an individual which is conditioned on the individual's attendance at an educational agency or institution.
- (8) "dean of student development" means the dean of student development or his/her designee.

AMENDATORY SECTION (Amending Order 35, filed 7/13/77)

WAC 106-172-721 NOTIFICATION BY EDU-CATIONAL INSTITUTION. (1) The ((College)) university shall inform eligible students, annually, of the following:





- (a) the types of education records and information contained therein which are maintained by the institution;
- (b) the titles and addresses of official responsible for the maintenance of each type of record, the persons who have access to those records, and the purposes for which they have access;
- (c) the policies and procedures of the ((College)) university for reviewing and expunging those records, and for challenging the accuracy of them;
- (d) the procedures for gaining access to the educational records;
- (e) the cost, as approved by the Board of Trustees, which will be charged to the eligible student for reproducing single copies of records, provided that the cost shall not exceed the actual cost of reproducing the record;

(f) the categories of information which the ((College)) university has designated as directory information.

(2) Notice of the existence of this policy and the availability of the information described in (1)(a) through (1)(f) above may be published in any official ((College)) university print medium publication having general circulation among students. This may be a special publication for this purpose only, or included in another publication. Students may consult the office of the dean of student development for the information described.

AMENDATORY SECTION (Amending Order 35, filed 7/13/77)

WAC 106-172-731 ACCESS TO ((CWSC))
CWU EDUCATION RECORDS. The ((College)) university shall provide each student access to his/her education records except as otherwise limited according to WAC 106-172-733.

The right of access shall include:

(1) The right to inspect and review the content of education records in the presence of appropriate ((College)) university personnel.

(2) The right to obtain single copies of each record, at the expense of the eligible student but not to exceed the actual cost to the ((College)) university of reproducing such copies.

(3) The right to a response from the ((College)) university to reasonable requests for explanations and interpretations of those records.

(4) The right of an opportunity for a hearing to challenge the content and accuracy of those records according to WAC 106-172-761.

- (5)(a) Students wishing access under provisions of this policy to education records maintained by the ((College)) university should address a request in writing to the person in charge of maintenance of that record. If copies are requested, copies may be supplied at no more than the cost of making the copy, including supplies and staff time.
- (b) The individual responsible for maintenance of any record shall respond to written requests only, and provide copies as requested, within twenty (((20))) working days. The ((College)) university registrar is not prohibited from providing a student with a copy of the student's

academic transcript from ((C.W.S.C.)) CWU, but is prohibited from providing a student with a copy of the student's official academic transcripts from other institutions.

(6) The office of the dean of student development will maintain a file showing what education records are maintained by any department or entity of the ((College)) university and the title and address of the official responsible for maintenance of each record.

AMENDATORY SECTION (Amending Order 35, filed 7/13/77)

WAC 106-172-733 LIMITATIONS ON ACCESS TO CENTRAL WASHINGTON ((STATE COL-LEGE)) UNIVERSITY EDUCATION RECORDS. (1) Central Washington ((State College)) University shall not make available to a student the following types of materials:

(a) Financial records and statements provided by parents "or any information contained therein."

(b) Confidential letters and statements of recommendation or evaluation which were provided to the ((College)) university, with written assurance of a "documented understanding of confidentiality," prior to January 1, 1975, provided such letters or statements are not used for purposes other than those for which they were specifically intended.

(c) Post-1974 confidential recommendations involving possible admission, employment, or honor—but only if the student has signed a waiver of the right to inspect them. Such a waiver shall apply to recommendations only if:

(i) the student is upon request, notified of the names of all persons making confidential recommendations and

(ii) such recommendations are used solely for the purpose for which they were specifically intended.

AMENDATORY SECTION (Amending Order 35, filed 7/13/77)

WAC 106-172-735 EXCEPTION TO CONSENT REQUIREMENTS AND RECORD OF ACCESS. (1) The ((College)) university may disclose personally identifiable information from the education records of a student without the written consent of the student if the disclosure is to:

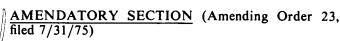
(a) ((College)) University officials, including faculty members, when the information is required for a legitimate educational purpose,

(b) Officials of another school in which the student seeks or intends to enroll, providing a reasonable attempt has been made to notify the student of the transfer of the records at the last known address of the student — except when the transfer of the records is initiated by the student;

(c) Federal or state officials requiring access to education records in connection with the audit or evaluation of federally or state supported educational programs. Such surveys must be administered in a manner which will not permit personal identification of students by individuals other than those conducting the study, and

such information will be destroyed when no longer needed for the purposes for which it was provided;

- (d) Agencies requesting information in connection with a student's application for, or receipt of, financial aid;
- (e) Accrediting organizations in order to carry out their accrediting functions;
- (f) Any personal subpoena and/or subpoena duces tecum, when lawfully prepared and served upon the ((College)) university or an appropriate administrator of the ((College)) university. The ((College)) university will notify the student by certified or registered mail to the address or addresses on file with the ((College)) university of any such subpoena. Such a notice will be sent to the student in advance of compliance with the subpoena.
- (2) Any student may grant permission for use of information about himself/herself by giving specific permission in writing, signed and dated by the student giving such consent to include:
 - (a) A specification by title of the records released;
 - (b) The reasons for such release;
- (c) The names of the parties to whom such records will be released; and
- (d) A written statement indicating that the information cannot subsequently be released in a personally identifiable form to any other party without the written consent of the student involved.
- (3) The ((College)) university shall maintain a record which will indicate all parties, other than those parties specified in WAC 106-172-735(1)(a), who have been granted access to a student's education records. The record will:
- (a) Indicate specifically the legitimate interest that each such party has in obtaining the information.
- (b) be available only to the student, to the employees of the ((College)) university responsible for maintaining the records, and to the parties identified under WAC 106-172-735(1)(a) and (d).



WAC 106-172-740 INFORMATION NOT TO BE REQUIRED. (1) The ((College)) university shall not require from any student the following information, for purposes of record:

- (a) religious affiliations or religious/ethical value systems;
 - (b) political affiliations or views;
- (c) membership status in any organization not directly connected with recognized educational functions of the ((College)) university;
 - (d) ethnic background.
- (2) The ((College)) university shall enable the student to record this information if he or she should desire.

AMENDATORY SECTION (Amending Order 35, filed 7/13/77)

WAC 106-172-750 TIMELY DISPOSAL OF RECORDS. (1) Provisions of the laws and regulations

- of the state of Washington regarding the time during which records must be maintained will be complied with.
- (2) Except as required in subsection (1) above, records will be maintained only during the minimum time in which they may ordinarily be expected to be useful or valid. Each record keeping entity of the ((College)) university shall make periodic review of its records to insure compliance with this provision.
- (3) Records of disclosure shall be maintained as long as the record itself is maintained.

AMENDATORY SECTION (Amending Order 35, filed 7/13/77)

WAC 106-172-761 RIGHT TO A HEARING. (1) The ((College)) university shall provide students an opportunity for a hearing in order to challenge the content of a student's education records to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students.

- (2) A student shall have the right, in accordance with the procedures set forth in WAC 106-172-763 and 106-172-765, to:
- (a) correct or delete inaccurate, misleading, or otherwise inappropriate data contained within education records:
- (b) challenge the release of education records to specific persons as contrary to the provisions of this chapter; and
- (c) challenge a decision by the ((College)) university to deny the student access to particular types of records.
- (3) A student shall not be permitted under this chapter to contest grades given in academic courses, except on the grounds that, as a result of clerical error, the records fail to accurately reflect the grades actually assigned by an instructor.

AMENDATORY SECTION (Amending Order 35, filed 7/13/77)

WAC 106-172-763 INFORMAL PROCEED-INGS. (1) Whenever possible the ((College)) university shall attempt to settle disputes regarding requests to amend education records through informal proceedings.

(2) A student who wishes to exercise the rights set forth in WAC 106-172-761(2) shall:

- (a) first, attempt a resolution with the ((college)) university official who has custody of the education records; and
- (b) second, discuss with the dean of student development or his/her designee the nature of the corrective action recommended by the student.

AMENDATORY SECTION (Amending Order 35, filed 7/13/77)

WAC 106-172-765 CONDUCT OF THE HEAR-ING. (1) If informal proceedings fail to resolve the complaint of a student, the student may file with the dean of student development a written request for the hearing before a hearing officer of the ((College)) university to be designated by the dean of student development, and who does not have a direct interest in the outcome of the hearing.

(2) The hearing shall be held within a reasonable time (not to exceed twenty working days) after the ((College)) university has received the request and the student shall be given notice of the date, place and time reasonably in advance of the hearing.

(3) The student shall be given an opportunity to present evidence relevant to the issues raised in WAC 106-172-761(2) and may be represented by any person (including an attorney) of the student's choosing at his

or her expense.

(4) A decision in writing shall be prepared within a reasonable period of time (not to exceed ten working days), which decision shall be based solely upon the evidence presented, and which includes a summary of the evidence and the reasons for the decision.

(5) If, as a result of the hearing, the decision is:

(a) to amend the record, the ((College)) university must do so accordingly and give notice to the student.

- (b) not to amend, the student must be allowed to place a written comment or explanation in the student's file, and it must be kept in the file as long as the file itself is kept. If the contested portion of the file is disclosed to anybody, the student's statement must also be disclosed.
- (6) The designated hearing officer shall be advised by the assistant attorney general representing the ((College)) university.

AMENDATORY SECTION (Amending Order 23, filed 7/31/75)

WAC 106-172-772 RELEASE OF INFORMA-TION FOR HEALTH OR SAFETY EMERGEN-CIES. (1) The ((College)) university (president or his designee, dean of student development) may release information from education records to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons.

(2) The factors which should be taken into account in determining whether records may be released shall

include:

(a) the seriousness of the threat to the health or safety of the student or other persons;

(b) the need for such records to meet the emergency;

(c) whether the persons to whom such records are released are in a position to deal with the emergency; and

(d) the extent to which time is of the essence in dealing with the emergency.

AMENDATORY SECTION (Amending Order 23, filed 7/31/75)

WAC 106-172-775 LIMITATION ON LIABILITY. The ((College)) university shall not be liable for student records when information available only from the student is not provided initially or kept up to date by the student. This provision shall apply when the ((College)) university has made adequate provision for supplying the information.

 $\frac{AMENDATORY\ SECTION}{\text{filed}\ 2/27/73)}\ (Amending\ Order\ 11,$

WAC 106-276-001 PUBLIC RECORDS POLICY. The provisions of WAC 106-276-001 through 106-276-199 shall constitute the public records policy of Central Washington ((State College)) University, adopted in compliance with Initiative 276 enacted by the voters of the state of Washington on November 7, 1972.

AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-005 DEFINITIONS. As used in the provisions of this chapter, the following definitions shall apply wherever the following words are used:

(1) "Request for a public record" means a written request submitted on a proper ((C.W.S.C.)) CWU public records request form for a public record, a review of public records or a copy or reproduction of a public record.

(2) "Students in public schools" means all past, present and future students enrolled at Central

Washington ((State College)) University.

(3) "Vital governmental interest" includes, but is not limited to, matters affecting national security; the selection of a site or the purchase of real estate when publicity regarding such consideration would cause a likelihood of increased price.

(4) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds; or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-010 DEFINITION OF PUBLIC RECORD. (1) A public record includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by Central Washington ((State College)) University, regardless of the physical form or characteristics; provided, however, that in accordance with section 31 of Initiative 276, the following personal and other records are exempt from the definition of public record:

(a) Personal information in any files maintained for students in public schools and the information, data and records subject to the student records policy, WAC 106-

172-700 through 106-172-799.

(b) Personal information in any files maintained for patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers or parolees.

(c) Personal information in files maintained for employees, appointees or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

- (d) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.
- (e) Specific intelligence information and specific investigative files compiled by investigative, law enforcement and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.
- (f) Information revealing the identity of persons who file complaints with investigative, law enforcement or penology agencies, except as the complainant may authorize.
- (g) Test questions, scoring keys, and other examination data used to administer a license, employment or academic examination.
- (h) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the appraisal.
- (i) Valuable formulae, designs, drawings and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.
- (j) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.
- (k) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.
- (2) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interest, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-030 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION AT CENTRAL WASHINGTON ((STATE COLLEGE)) UNIVERSITY. (1) Central Washington ((State College)) University is located on a campus in and near the city of Ellensburg, Washington. This campus comprises the central headquarters for all operations of the ((college)) university; any "field" activities of the ((college)) university are directed and administered by personnel located on the campus at Ellensburg. The ((college)) university is governed by a board of trustees appointed by the governor; such board normally meets at least once every calendar month, as provided in WAC 106-08-001.

The board employs a president, his assistants, members of the faculty and other employees. It establishes such divisions, schools or departments necessary to carry out the purposes of the ((college)) university, provides the necessary property, facilities and equipment and promulgates such rules, regulations and policies as are necessary to the administration of the ((college)) university.

(2) The Board of Trustees, either directly or by delegation, has caused to be created various administrative, academic and support divisions to enable the ((college)) university to discharge its obligations. Academic matters and student affairs are the concern of the vice president for academic affairs; business and physical planning functions are the concern of the vice president for business and financial affairs; ((college)) university services are the concern of the executive assistant to the president. These offices report to the president of the ((college)) university.

AMENDATORY SECTION (Amending Order 11, halfiled 2/27/73)

WAC 106-276-040 GENERAL COURSE AND METHOD OF DECISION-MAKING. (1) The formal procedures for decision-making at the ((college)) university are governed by the Board of Trustees through rules promulgated by it in accordance with the requirements of chapter 28B.19 RCW, the Higher Education Administrative Procedure((s)) Act (HEAPA). Accordingly, all rules, orders or directives, or regulations of the ((college)) university which affect the relationship of particular segments of the ((college)) university, such as students, faculty, or other employees, with the ((college)) university or with each other,

- (a) the violation of which subjects the person to a penalty or administrative sanction; or
- (b) which establishes, alters, or revokes any procedures, practice, or requirement relating to institutional hearings; or
- (c) which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law;

are implemented through the procedures of the HEAPA and appear in Title 106 WAC, provided, however, that in accordance with RCW 28B.19.020(2), the ((college)) university reserves the right to promulgate as internal rules not created or implemented in accordance with the HEAPA, the following: rules, regulations, orders, statements, or policies relating primarily to the following: standards for admissions; academic advancement, academic credits, graduation and the granting of degrees; tuition and fees, scholarships, financial aids, and similar academic matters; employment relationships; fiscal processes; or matters concerning only the internal management of an institution and not affecting private rights or procedures available to the general public; and such matters need not be established by rule adopted under HEAPA unless otherwise required by law. Internal rules and regulations to the extent not already set forth in the ((college's)) university's published catalogs and handbooks shall be collected in a general ((college)) university handbook, a copy of which shall be maintained on file

in the ((college)) university library and be available to the public.

AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-050 INFORMAL PROCEDURES REGARDING THE GENERAL COURSE AND METHODS OF DECISION. Informal procedures regarding the methods and general course of operations at the ((college)) university are, for the purposes of these rules, either:

(1) Decisions made by persons authorized by board resolution, the president, or any designee to make a decision within the scope of responsibility assigned to such person; or

(2) Methods of human persuasion utilized by any member of the ((college's)) university's constituencies or of the public to attempt to influence one in power to make decisions within that person's scope of responsibility.

AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-060 DESIGNATION OF PUBLIC RECORDS OFFICERS. (1) In accordance with the requirements of Initiative 276, insofar as such initiative requires state agencies to adopt and enforce reasonable rules and regulations to provide full public access to official records while yet protecting the same from damage and to prevent excessive interference with essentials of the agency, all public records at the ((college)) university shall be in the charge of persons holding positions as records officers.

- (2) Overall responsibility for coordinating responses to requests for examination of public records shall be the responsibility of the person known as the "public records officer." The person holding such position will be head-quartered in Mitchell Hall at the ((college)) university; his exact location and name may be determined by inquiry at the office of the president of the ((college)) university. The public records officer shall also be responsible for compiling and maintaining the index required by Initiative 276.
- (3) For purposes of this chapter, the custody of the ((college's)) university's records shall be deemed divided into the following divisions:
 - (a) Office of the president;
 - (b) Office of the vice president for academic affairs;
- (c) Office of the vice president for business and financial affairs;
- (d) Office of the executive assistant to the president. The above-designated division head shall be deemed custodian of the records in the possession or control of agencies, departments, officers and employees of his division and responsible for the care and custody of records within his division even though such person is not in actual possession or control of such records. Such division heads shall be known as the ((college)) university records custodians."
- (4) In any cases where a question arises as to whether a given public record is a responsibility of one records

custodian or another, the determination of such ministerial responsibility shall for the purposes of this chapter be made by the public records officer, or the president of the ((college)) university.

AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-070 AVAILABILITY FOR PUBLIC INSPECTION AND COPYING OR REPRODUCTION OF PUBLIC RECORDS. (1) Public records shall be available for inspection, copying and reproduction during the customary office hours of the ((college)) university. For the purposes of this chapter, the customary office hours shall be from 9 a.m. to noon and from 1 p.m. to 4 p.m., Monday through Friday, excluding legal holidays, unless the person making the request and the ((college)) university, acting through the public records officer or a records custodian, agree on a different time.

AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-080 REQUESTS FOR PUBLIC RECORDS. In accordance with the Initiative 276 requirements that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are only obtainable by members of the public when those members of the public comply with the following procedures:

- (1) A request shall be made in writing upon a form which shall be available at the office of the public records officer and shall be presented to the public records officer or any other of the persons designated by this chapter as a custodian of certain ((college)) university records, per WAC 106-276-060. Such request shall include the following:
 - (a) the name of the person requesting the record;
- (b) the time of day and calendar date on which the request was made; and
- (c) if the matter requested is referenced within the current index maintained by the ((college)) university records officer, a reference to the requested record as it is described in such current index;
- (d) if the requested matter is not identifiable by reference to the ((college)) university records current index, a statement that succinctly describes the record requested;
- (e) A verification that the records requested shall not be used to compile a commercial sales list.
- (2) In all cases in which a member of the public is making a request, it shall be the obligation of the ((college)) university "public records officer" or records custodian, or that individual's designee, to assist the member of the public in succinctly identifying the public record requested.

MENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-090 CHARGES FOR COPYING OR REPRODUCTION. (1) No fee shall be charged for inspection of public records. The ((college)) university

may impose a reasonable charge for providing copies or reproductions of public records and for the use by any person of agency equipment to copy or reproduce public records; such charges shall not exceed the amount necessary to reimburse the ((college)) university for its actual costs incident to such copying or reproduction.

(2) No record shall be copied by photostatic process or otherwise reproduced until and unless the person requesting the copying or reproduction of the public record has tendered payment for such copying or reproduction to the records official from whom the public record was obtained, or to any person designated by such records official.

AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-100 DETERMINATION RE-GARDING EXEMPT RECORDS. (1) The ((college)) university reserves the right to determine that a public record requested in accordance with the procedures of this chapter is exempt under the provisions of section 31 of Initiative 276. Such determination may be made in consultation with any of the records officers of the ((college)) university, president of the ((college)) university, or an assistant attorney general assigned to the ((college)) university.

(2) Responses to requests for records must be made promptly. For the purpose of these rules, a prompt response occurs if the person requesting the public record is notified within one (((1))) business day as to whether or not his request for a public record will be granted or

denied.

(3) No denial of a request for public records shall be valid unless accompanied by a written statement, signed by the public records officer or his designee, specifying the specific reasons therefor.

AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-110 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. (1) Any person who objects to the denial of a request for a public record or his duly authorized representative shall petition for prompt review of such decision by tendering to the president's office a written request for a review of such denial. Such written request by a person or his duly authorized representative demanding prompt review shall specifically reference the written statement by the ((college)) university denying that person's request for a public record.

- (2) Within two (((2))) business days after receiving the written request by a person or his duly authorized representative petitioning for prompt review of a decision denying a public record, the president of the ((college)) university or any of his designees, which for the purposes of this section may include the public records officer or the records custodians, shall consider such petition.
- (3) During the course of the two business days in which the president or his designee reviews the decision of the public records officer denying the request for a

public record, the president or his designee may conduct an informal hearing. During the course of such informal hearing, the president or his designee may require that the person requesting the public record or his duly authorized representative appear at a reasonable time and place located on the campus and further explain and identify the exact nature of the public record he is seeking. Failure by the person requesting the review hearing or his duly authorized representative to appear at such informal hearing shall be deemed a waiver of that person's right to insist upon completion of the review of his request within two (((2))) business days. If the petitioner requesting review or his duly authorized representative does appear at such informal hearing, then the period for review by the ((college)) university shall be extended to a period not exceeding twenty-four $((\frac{(24)}{2}))$ hours after such person requesting review or his duly authorized representative has appeared before the president or his designee.

(4) During the course of the informal hearing conducted by the president or his designee under this section, the hearing officer shall consider the obligations of the ((college)) university fully to comply with the intent of Initiative 276 insofar as it requires providing public access to official records, but shall also consider the exemptions provided in section 31 of Initiative 276 and the requirement of section 29 of that same initiative insofar as it requires the ((college)) university to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and to prevent any unreasonable invasion of personal privacy by deleting identifying details.

AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-200 LEGISLATIVE LIAISON POLICY. The provisions of WAC 106-276-200 through WAC 106-276-299 shall constitute the legislative liaison policy of Central Washington ((State College)) University.

AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-210 DESIGNATION. In accordance with the implementation of Initiative 276, passed by the voters of the state of Washington on November 7, 1972, and effective January 1, 1973, those persons holding the following positions at Central Washington ((State College)) University are designated legislative liaisons for Central Washington ((State College)) University:

(1) Members of the Board of Trustees;

(2) The president;

(3) All vice presidents;

(4) Legislative liaisons;

(5) Director, office of ((College)) University Information;

(6) All those persons designated in writing by the president, which writing shall be made available among the records maintained by the office of the president of Central Washington ((State College)) University.



AMENDATORY SECTION (Amending Order 11, filed 2/27/73)

WAC 106-276-220 RESPONSIBILITY. Such persons designated in WAC 106-276-210 shall be responsible for making available through official channels recommendations regarding legislation or seeking such appropriations as the ((college)) university may deem necessary for the official conduct of its business.

> WSR 78-08-012 ADOPTED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Health)

[Order 1315—Filed July 11, 1978]

I. David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to guidelines of the Department of Social and Health Services for implementation of the State Environmental Policy Act, amending chapter 248-06 WAC.

This action is taken pursuant to Notice No. WSR 78-05-109 filed with the code reviser on 5/3/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.21C-.120 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 28, 1978.

By David Hogan **Executive Assistant**

AMENDATORY SECTION (Amending Order 1148, filéd 8/26/76)

WAC 248-06-040 DEFINITIONS. The following words and terms shall have the following meanings for purposes of this chapter, unless the context indicates otherwise:

(1) ((Acting Agency.)) Acting agency means an agency with jurisdiction which has received an application for a license, or which is ((the initiator of a proposed)) proposing an action.

(2) ((Action.)) Action means an activity potentially subject to the environmental impact statement requirements of RCW 43.21C.030(2)(c) and (2)(d). ((See the provisions of)) (See WAC 197-10-170, 197-10-175 and 197-10-180 for activities that are exempted from the threshold determination and environmental impact statement requirements of SEPA and these guidelines((; due to CEP's determination that such activities are minor, not "major," actions even though such activities are within one of the subcategories below.])).) All actions fall within one of the following subcategories:

(a) Governmental licensing of activities involving modification of the physical environment.

(b) Governmental action of a project nature. This includes and is limited to:

(i) the decision by an agency to undertake any activity which will directly modify the physical environment, whether such activity will be undertaken directly by the agency or through contract with another, and

(ii) the decision to purchase, sell, lease, transfer or exchange natural resources, including publicly owned land, whether or not ((it directly modifies)) the environment is directly modified.

(c) Governmental action of a nonproject nature. This includes and is limited to:

(i) the adoption or amendment of legislation, ordinances, rules or regulations which contain standards controlling use or modification of the physical environment:

(ii) the adoption or amendment of comprehensive land use plans or zoning ordinances;

(iii) the adoption of any policy, plan or program

which will govern the development of a series of functionally related major actions, but not including any policy, plan or program for which approval must be obtained from any federal agency prior to implementation;

(iv) creation of, or annexations to, any city, town or district:

(v) adoptions or approvals of utility, transportation and solid waste disposal rates;

(vi) capital budgets; and

(vii) road, street and highway plans.

(3) ((Agencies)) Agency with ((Expertise: Agencies with)) expertise means ((those agencies to which a draft environmental impact statement shall be sent pursuant to)) an agency listed in WAC 197-10-465, unless ((they are)) it is also ((agencies)) an agency with jurisdiction.

(4) ((Agencies with Jurisdiction. Agencies)) Agency with jurisdiction means ((those agencies)) an agency from which a nonexempt license is required for a proposal or any part thereof, ((or)) which will act upon an application for a grant or loan for a proposal, or ((agencies)) which ((are proposing)) proposes or ((initiating)) initiates any governmental action of a project or nonproject nature. The term does not include ((those agencies)) an agency authorized to adopt rules or standards of general applicability which govern the proposal in question, when no license or approval is required for a specific ((proposals; nor does the)) proposal. The term also does not include ((agencies)) an agency, involved in approving ((grants or loans)) a grant or loan, which ((serve)) serves only as ((conduits)) a conduit between the primary administering agency and the recipient of the grant or loan. Federal agencies with jurisdiction are ((instrumentalities)) agencies of the federal government from which a license is required, or which will receive an application for a grant or loan for a proposal.

(5) ((Agency or Agencies.)) Agency or agencies ((mean)) means all state agencies and local agencies as defined in this section. The term does not include any agency or division of the federal government. Whenever a specific agency has been named in these guidelines and the functions of that agency have been transferred to another agency, then the term shall mean ((such)) the

successor agency.

- (6) Agency guidelines shall mean chapter 248-06 WAC.
- (7) ((CEP.)) CEP means the council on environmental policy. As directed by the legislature, the council on environmental policy ceased to exist on July 1, 1976, and its duties were transferred to the department of ecology (DOE). All references to CEP in these guidelines should now be read to mean department of ecology.
- (8) ((Consulted Agency:)) Consulted agency means any agency with jurisdiction or with expertise which is ((consulted, or from which information is requested by a lead agency during the threshold determination, predraft consultation, or consultation on a draft environmental impact statement)) requested by the lead agency to provide information during a threshold determination or predraft consultation or which receives a draft environmental impact statement. An agency shall not be considered a consulted agency merely because it receives a proposed declaration of nonsignificance.
- (9) ((County/City.)) County/city means a county, city or town. ((For the purposes of)) In this chapter, duties and powers are assigned to a county, city or town as a unit((, with the)). The delegation of responsibilities among the various departments of a county, city or town ((being)) is left to the legislative or charter authority of the individual counties, cities or towns.
- (10) ((Declaration of Non-Significance.)) Declaration of nonsignificance means the written decision by the responsible official of the lead agency that a proposal will not have a significant adverse environmental impact and that therefore no environmental impact statement is required. A form substantially consistent with that in WAC 197-10-355 shall be used for this declaration.
- (11) ((Declaration of Significance.)) Declaration of significance means the written decision by the responsible official of the lead agency that a proposal will or could have a significant adverse environmental impact and that therefore an environmental impact statement is required. A form substantially consistent with that in WAC 197-10-355 shall be used for this declaration.
- (12) Department shall mean the department of social and health services.
- (13) ((Draft EIS:)) Draft EIS means an environmental impact statement prepared prior to the final detailed statement.
- (14) ((EIS:)) EIS means the detailed statement required by RCW 43.21C.030(2)(c). ((H)) This term may refer to either a draft or final environmental impact statement, or both, depending upon context.
- (15) ((Environment.)) Environment means, and is limited to, those areas listed in WAC 197-10-444.
- (16) ((Environmental Checklist.)) Environmental checklist means the form contained in WAC 197-10-365.
- (17) ((Environmental Document.)) Environmental document means every written public document prepared or utilized as a result of the requirements of this chapter.
- (18) ((Environmentally Sensitive Area.)) Environmentally sensitive area means an area designated and mapped by a county/city pursuant to WAC 197-10-177((, and within which certain)). Certain categorical

- exemptions do not apply within environmentally sensitive areas.
- (19) ((Final EIS.)) Final EIS means an environmental impact statement prepared to reflect comments to the draft EIS. It may ((consist of)) be a new document, or ((of)) the draft EIS ((together with supplementary)) supplemented by material prepared pursuant to WAC 197-10-570, 197-10-580 or 197-10-695.
- (20) ((Lands Covered by Water.)) Lands covered by water means lands underlying the water areas of the state below the ordinary high water mark, including salt water, tidal waters, estuarine waters, natural water courses, lakes, ponds, artificially impounded waters, marshes and swamps. Certain categorical exemptions do not apply to lands covered by water.
- (21) ((Lead Agency:)) Lead agency means the agency designated by ((the provisions of)) WAC 197-10-200 through 197-10-270 or 197-10-345((; which)). The lead agency is responsible for making the threshold determination and preparing or supervising preparation of the draft and final environmental impact statements.
- (22) ((License.)) License means any form of written permission given to any person, organization or agency to engage in any activity, as required by law or agency rule. A license ((thus)) includes ((the whole)) all or part of any agency permit, certificate, approval, registration, charter, or plat approvals or rezones to facilitate a particular project((;)). The term does not include a license required solely for revenue purposes ((is not included)).
- (23) ((Licensing.)) Licensing means the agency process in granting, renewing or modifying a license.
- (24) ((List of Elements of the Environment.)) List of elements of the environment means the list ((contained)) in WAC 197-10-444 which must be attached to every environmental impact statement.
- (25) ((Local Agency:)) Local agency means any political subdivision, regional governmental unit, district, municipal or public corporation including cities, towns and counties. The term does not include the departments of a city or county.
- (26) ((Major Action.)) Major action means any "action" as defined in this section which is not exempted by WAC 197-10-170, 197-10-175 and 197-10-180.
- (27) ((Non-Project EIS:)) Nonproject EIS means an environmental impact statement prepared for a proposal for any governmental action of a nonproject nature as defined under "action" in this section.
- (28) ((Physical Environment.)) Physical environment means, and is limited to, those elements of the environment listed under "physical environment" in WAC 197–10-444(2).
- (29) ((Private Applicant.)) Private applicant means any person or entity, other than an agency as defined in this section, applying for a license from an agency.
- (30) ((Private Project.)) Private project means any proposal ((for which the primary initiator or sponsor is)) primarily initiated or sponsored by an individual or entity other than an "agency" as defined in this section.
- (31) ((Proposal.)) Proposal means a specific request to undertake any activity submitted to, and ((which is)) seriously considered by, an agency or a decision-maker within an agency, as well as any action or activity which

may result from approval of any such request. ((Further definition of the)) The scope of a proposal for the purposes of lead agency determination, the threshold determination, and impact statement preparation is ((contained)) further defined in WAC 197-10-060.

(32) ((Responsible Official.)) Responsible official means that officer or officers, committee, department or section of the lead agency designated by the lead agency's guidelines to undertake its responsibilities as lead agency ((†))(See WAC 197-10-820((†))).

(33) Secretary shall mean the secretary of the depart-

ment of social and health services.

(34) ((SEPA.)) SEPA means the state environmental policy act of 1971, chapter 43.21C RCW, as amended.

(35) SEPA committee means the departmental committee which oversees the department's SEPA activities. The committee's composition and responsibilities are outlined in WAC 248-06-815.

(36) SEPA guidelines shall mean chapter 197-10

WAC.

(((36) State Agency.)) (37) State agency means any state board, commission or department, except those in the legislative or judicial branches. The term includes the office of the governor and the various divisions thereof, state universities, colleges and community colleges.

(((37) Threshold Determination.)) (38) Threshold determination means the decision by a lead agency whether or not an environmental impact statement is required

for a proposal.

AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

WAC 248-06-055 TIMING. Reference should be made to WAC ((248-06-175)) 248-06-174, which sets out the procedures and timing governing the EIS process for specified major actions of the department. At a minimum, the threshold determination shall be completed prior to undertaking any major action and a final EIS shall be issued seven days prior to undertaking any major action.

AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

WAC 248-06-100 INFORMATION WHICH MAY BE REQUIRED OF A PRIVATE APPLICANT. Reference should be made to WAC ((248-06-175)) 248-06-174, which sets out the types of information which the department may require from a private applicant for specified major actions of the department. The information required will in every case include preparation of the environmental checklist and, where appropriate, the draft and final EIS.

NEW SECTION

WAC 248-06-174 TIMING AND PROCE-DURES FOR SPECIFIED MAJOR ACTIONS. As of December 12, 1975, the only actions of the department which are major actions are those specified in WAC 197-10-174. It should however be noted that programs entered into by the department after this date could constitute major actions even though not appearing in WAC 197-10-174 (refer to WAC 248-06-176 and 248-06-815). It should also be noted that the department is not necessarily the lead agency for all of the major actions listed in WAC 197-10-174. Furthermore, aspects of the major actions listed in WAC 197-10-174 may be exempt from SEPA requirements because of their emergency nature (refer to WAC 248-06-180).

The material which follows in this section describes the timing and procedures to be observed by the appropriate department section for each of the major actions specified in WAC 197-10-174:

- (1) Regulations and licenses relating to radioactive material.
 - (a) Scope of major action.
- (i) Regulations relating to radioactive material shall include the adoption or amendment by the department of any regulations incorporating general standards for issuance of licenses authorizing the possession, use and transfer of radioactive material pursuant to RCW 70.98.080.
- (ii) The issuance, revocation or suspension of individual licenses under RCW 70.98.080 shall be exempt. However, the following licenses shall not be exempt: Licenses to operate low level waste burial facilities or licenses to operate or expand beyond design capacity mineral processing facilities, or their tailings areas, whose products, or by-products, have concentrations of naturally occurring radioactive materials in excess of exempt concentrations as specified in WAC 402-20-250.
- (b) Lead agency. The department shall be lead agency for proposals to construct, operate, or expand any uranium or thorium mills, any tailings areas generated by uranium or thorium milling or any low level waste burial facility. Lead agency determination for other mineral processing proposals should be made in accordance with WAC 197-10-203 through 197-10-270. The department shall also be lead agency for adoption of the regulations described in WAC 248-06-174(1)(a)(i).
- (c) Responsible official. The responsible official for administering SEPA guidelines as they apply to WAC 248-06-174(1)(a) shall be the occupational health section, office of environmental health programs, health services division.
- (d) Timing of SEPA requirements for regulations for radioactive material.
- (i) A final EIS or final declaration of nonsignificance, whichever is determined appropriate by the lead agency's responsible official, shall be completed for proposed regulations relating to radioactive material prior to the hearing preceding final adoption of such regulations.
- (ii) The responsible official shall mail to the department of ecology headquarters office in Olympia for listing in the "SEPA Register" (see WAC 248-06-831) a copy of any final declaration of nonsignificance for which a proposed declaration of significance has been circulated per WAC 197-10-340(7), a copy of the draft EIS, and a copy of the final EIS. Copies of the draft EIS shall also be mailed to those agencies identified in WAC 197-10-460, and of the final EIS to those agencies identified in WAC 197-10-600. The responsible official shall also give public notice in the form and manner



specified in RCW 43.21C.080 of the final declaration of nonsignificance or final EIS.

- (e) Timing of SEPA requirements for licenses for uranium or thorium mills or radioactive waste burial facilities.
- (i) The applicant shall be responsible for completing an environmental checklist, furnishing additional information needed by the department to make the threshold determination, and preparing the draft and final EIS under the direction of the responsible official as early as possible but in no case later than the submission to the department of an application for a radioactive materials license made in accordance with chapter 402-20 WAC. The following material presents a more detailed description of the responsibilities of the private applicant as well as of the responsible official.
- (ii) The applicant shall be responsible for contacting the responsible official during the early stages of the applicants planning activities to obtain an outline of SEPA requirements.
- (iii) Thereafter the private applicant shall be responsible for preparation of an environmental checklist. The responsible official shall review each environmental checklist and, within fifteen days of the responsible official's receipt of the checklist, shall prepare either (A) a written proposed declaration of nonsignificance when there are other agencies with jurisdiction over the proposal or the other circumstances identified in WAC 197-10-340(3) are present and the responsible official determines that the proposed license will not have a significant adverse environmental impact, or (B) a written final declaration of nonsignificance when there are no other agencies with jurisdiction over the proposal and where the other circumstances identified in WAC 197-10-340(3) are not present and the responsible official determines that the proposed license will not have a significant adverse environmental impact, or (C) a written declaration of significance when the responsible official determines that the proposed license will have a significant adverse environmental impact, or (D) a written request for further information.
- (iv) When the responsible official has issued a proposed declaration of nonsignificance, he shall send the proposed declaration and environmental checklist to the applicant and to all agencies with jurisdiction for review and comment. When fifteen days have elapsed the responsible official shall either issue a final declaration of nonsignificance or a declaration of significance.
- (v) When the responsible official has issued a final declaration of nonsignificance, he shall send it to the applicant and to the department of ecology for listing in the "SEPA Register" (see WAC 248-06-831) and shall give public notice thereof in the form and manner specified in RCW 43.21C.080. When the responsible official has issued a declaration of significance, he shall send it to the applicant.
- (vi) When the responsible official makes a declaration of significance, the preparation of a draft and final EIS shall be in compliance with WAC 197-10-410 through 197-10-695 and shall be the responsibility of the private applicant. If the applicant desires, he may contract with an outside consultant for the preparation of the draft or

- final EIS. Unless the scope or complexity of the proposal indicates otherwise, the final EIS shall be completed within seventy-five days of the issuance of the draft EIS. (See WAC 248-06-550).
- (vii) The responsible official shall request review of the draft EIS from the agencies listed in WAC 197-10-460 and from such other agencies as he determines.
- (viii) The responsible official shall mail a copy of the draft EIS to the department of ecology headquarters in Olympia for listing in the "SEPA Register" (see WAC 248-06-831) and also to those agencies listed in WAC 197-10-460.
- (ix) When the responsible official determines that substantial changes are needed or that new information has become available, the preparation of an amended or new draft EIS is the responsibility of the private applicant.
- (x) The responsible official shall mail a copy of the final EIS to the department of ecology headquarters office in Olympia for listing in the "SEPA Register" (see WAC 248-06-831). The responsible official shall also mail copies of the final EIS to those agencies specified in WAC 197-10-600 and shall give public notice of the completion of the final EIS in the form and manner specified in RCW 43.21C.080.
 - (2) Water system plans for public water systems.
- (a) Scope of major action. Water systems plans for water system supplies are plans developed and submitted to the department for review and approval pursuant to WAC 248-54-580.
- (b) Lead agency. When an agency develops such water system plans, that lead agency shall assume lead agency status as required by WAC 197-10-205. When water system plans are developed by a private applicant, the department shall be the lead agency unless indicated otherwise by WAC 197-10-205 through 197-10-225.
- (c) Responsible official. When the department is the lead agency for a water system plan, the responsible official within the department shall be the water supply and waste section, office of environmental health programs, health services division.
- (d) Timing and procedures for water system plans prepared by private applicants.
- (i) In general, when a private applicant has prepared a water system plan for review and approval by the department, the private applicant shall be responsible for completing an environmental checklist, furnishing additional information needed by the department to make the threshold determination, and preparing the draft and final EIS under the direction of the responsible official. The following material presents a more detailed description of the responsibilities of the private applicant as well as the responsible official.
- (ii) The private applicant shall be responsible for contacting the responsible official during the early stages of the applicant's planning activities to obtain an outline of the SEPA requirements.
- (iii) Thereafter the private applicant shall be responsible for preparation of an environmental checklist. The responsible official shall review each environmental checklist and within fifteen days of the responsible official's receipt of the checklist shall prepare either (A) a

written proposed declaration of nonsignificance when there are other agencies with jurisdiction over the proposal or when the circumstances set forth in WAC 197-10-340(3) are present and the responsible official determines that the proposed water system plan will not have a significant adverse environmental impact, or (B) a written final declaration of nonsignificance when there are no other agencies with jurisdiction over the proposal and where the other circumstances set forth in WAC 197-10-340(3) are not present and the responsible official determines that the proposed water system plan will not have a significant adverse environmental impact, or (C) a written declaration of significance when the responsible official determines that the proposed water system plan will have a significant adverse environmental impact, or (D) a written request for further information.

- (iv) When the responsible official has issued a proposed declaration of nonsignificance he shall send the proposed declaration and the environmental checklist to the applicant and to all agencies with jurisdiction for review and comment. When fifteen days have elapsed the responsible official shall either issue a final declaration of nonsignificance or a declaration of significance.
- (v) When the responsible official has issued a final declaration of nonsignificance, he shall send the declaration to the applicant and to the department of ecology for listing in the "SEPA Register" (see WAC 248-06-831) and shall give public notice thereof in the form and manner specified in RCW 43.21C.080. When the responsible official has issued a declaration of significance, he shall send it to the applicant.
- (vi) When the responsible official makes a declaration of significance, the preparation of a draft and final EIS shall be in compliance with WAC 197-10-410 through 197-10-695 and shall be the responsibility of the private applicant. If the applicant desires, he may contract with an outside consultant for preparation of the draft or final EIS. Unless the scope or complexity of the proposal indicates otherwise, the final EIS shall be completed within seventy-five days of the issuance of the draft EIS (see WAC 248-06-550).
- (vii) The responsible official shall request review of the draft EIS from the agencies listed in WAC 197-10-460 and from such other agencies as he determines.
- (viii) The responsible official shall mail copies of the draft EIS to the department of ecology for listing in the "SEPA Register" (see WAC 248-06-831) and to such other agencies as are specified in WAC 197-10-460.
- (ix) When the responsible official determines that substantial changes are needed or that new information has become available, the preparation of an amended or a new draft EIS is the responsibility of the private applicant.
- (x) The responsible official shall mail the final EIS to the department of ecology for listing in the "SEPA Register" (see WAC 248-06-831) and to such other agencies as are listed in WAC 197-10-600. The responsible official shall also give public notice of the final EIS in the form and manner specified in RCW 43.21C.080.
- (xi) Every water system plan submitted by a private applicant to the department for review and approval

- shall be accompanied by either a final declaration of nonsignificance or a final EIS.
- (e) Timing and procedure for water system plans prepared by agencies. Every water system plan submitted by an agency to the department for review and approval shall be accompanied by either a final declaration of nonsignificance or a final EIS.
- (3) New public water supply systems and major extensions of existing public water supply systems.
- (a) Scope of major action. The approval of engineering reports or plans and specifications pursuant to WAC 248-54-590 and 248-54-600 for all surface water source development, all water system storage facilities greater than one-half million gallons, new transmission lines longer than one thousand feet located in new rights of way and major extensions to existing water distribution systems.
- (b) Lead agency. When an agency constructs a new public water supply system or a major extension to an existing public water supply system, that agency shall assume lead agency status pursuant to WAC 197-10-205. When a private applicant constructs a new public water supply system or a major extension to an existing public water supply system, the department shall be the lead agency unless indicated otherwise by WAC 197-10-220 and 197-10-225.
- (c) Responsible official. When the department is the lead agency for a new public water supply system or a major extension to an existing public water supply system, the responsible official within the department shall be the water supply and waste section, office of environmental health programs, health services division.
- (d) Timing and procedures for projects proposed by private applicants.
- (i) In general, when a private applicant seeks the approval of the department for a new public water supply or a major extension to an existing public water supply, the private applicant shall be responsible for completing an environmental checklist, furnishing additional information needed by the department to make the threshold determination, and preparing the draft and final EIS under the direction of the responsible official. The following material presents a more detailed description of the responsibilities of the private applicant as well as of the responsible official.
- (ii) The private applicant shall be responsible for contacting the responsible official during the early stages of the applicant's planning activities to obtain an outline of SEPA requirements.
- (iii) Thereafter the private applicant shall be responsible for preparation of an environmental checklist. The responsible official shall review each environmental checklist and within fifteen days of the responsible official's receipt of the checklist shall prepare either (A) a written proposed declaration of nonsignificance when there are other agencies with jurisdiction over the proposal or when the other circumstances indicated in WAC 197-10-340(3) are present and the responsible official determines that the proposal will not have a significant adverse environmental impact, or (B) a written final declaration of nonsignificance when there are no other agencies with jurisdiction over the proposal and

when the other circumstances indicated in WAC 197-10-340(3) are not present and the responsible official determines that the proposal will not have a significant adverse environmental impact, or (C) a written declaration of significance when the responsible official determines that the proposal will have a significant adverse environmental impact, or (D) a written request for further information.

- (iv) When the responsible official has issued a proposed declaration of nonsignificance he shall send the proposed declaration and environmental checklist to the applicant and to all agencies with jurisdiction for review and comment. When fifteen days have elapsed the responsible official shall either issue a final declaration of nonsignificance or a declaration of significance.
- (v) When the responsible official has issued a final declaration of nonsignificance, he shall send the declaration to the applicant and to the department of ecology for listing in the "SEPA Register" (see WAC 248-06-831) and shall give public notice thereof in the form and manner specified in RCW 43.21C.080. When the responsible official has issued a declaration of significance, he shall send it to the applicant.
- (vi) When the responsible official makes a declaration of significance, the preparation of the draft and final EIS shall be in compliance with WAC 197-10-410 through 197-10-695 and shall be the responsibility of the private applicant. If the applicant desires he may contract with an outside consultant for the preparation of the draft or final EIS. Unless the scope or complexity of the proposal indicates otherwise, the final EIS shall be completed within seventy-five days of the issuance of the draft EIS (see WAC 248-06-550).
- (vii) The responsible official shall request review of the draft EIS from the agencies listed in WAC 197-10-460 and from such other agencies as he determines.
- (viii) The responsible official shall mail a copy of the draft EIS to the department of ecology for listing in the "SEPA Register" (see WAC 248-06-831) and to those other agencies indicated in WAC 197-10-460.
- (ix) When the responsible official determines that substantial changes are needed or that new information has become available, the preparation of an amended or new draft EIS is the responsibility of the private applicant.
- (x) The responsible official shall mail a copy of the final EIS to the department of ecology for listing in the "SEPA Register" (see WAC 248-06-831) and to those other agencies indicated in WAC 197-10-600. The responsible official shall also give public notice of the final EIS in the form and manner specified in RCW 43.21C.080.
- (xi) Whenever preliminary engineering reports, or plans and specifications for a new public water supply system or a major extension to an existing public water supply system are submitted by a private applicant to the secretary for his review and approval pursuant to WAC 248-54-590 and 248-54-600, these reports, plans and specifications shall be accompanied by a final declaration of nonsignificance or a final EIS.
- (e) Timing and procedures for projects proposed by an agency. Whenever preliminary engineering reports, plans

and specifications for a new public water supply system or a major extension to an existing public water supply system are submitted by an agency to the secretary for his review and approval pursuant to WAC 248-54-590 and 248-54-600, these reports, plans and specifications shall be accompanied by a final declaration of nonsignificance or a final EIS.

- (4) Certificates of need.
- (a) Scope of major action. Certificate of need applications are subject to SEPA requirements whenever the applicant proposes to construct a new hospital or to construct major additions to the existing service capacity of such an institution: PROVIDED, That such applications are not subject to SEPA requirements when the proposed construction consists of remodeling, equipment acquisition or additions which provide less than four thousand square feet of floor area and with associated parking facilities designed for twenty automobiles or less: PROVIDED, FURTHER, That certificate of need applications for "substantial acquisitions" are not subject to SEPA requirements.
 - (b) Lead agency.
- (i) Where construction of a hospital is undertaken by a private applicant, the lead agency for that construction shall be determined in accordance with WAC 197-10-220, i.e., the lead agency shall be the city or county within which the hospital is located.
- (ii) Where construction of a hospital is undertaken by a state agency or local agency other than the department, that state or local agency shall be the lead agency in accordance with WAC 197-10-205.
- (iii) Where construction of a hospital is undertaken by the department, the department shall be the lead agency. See WAC 248-06-174(7).
- (c) Timing and procedures for hospital certificates of need. Where a state or local agency other than the department is lead agency for hospital construction, the department shall not issue a certificate of need approving this hospital construction until the applicant has supplied it with a final declaration of nonsignificance or a final EIS, and until seven days after the issuance by the lead agency of any final EIS. Nothing in this subsection shall preclude the department from making a commitment to issue a certificate of need to an applicant subject to the timely receipt of an appropriate environmental impact statement or declaration of insignificance.
- (5) Approval of sewerage general plans and/or water general plans.
- (a) Scope of major action. Sewerage general plans and water general plans shall mean and include those described in RCW 36.94.010.
- (b) Sewerage lead agency. The department is not the lead agency for approval of sewerage general plans. Applicants for approval of sewerage general plans should contact the Washington state department of ecology for information on lead agency determination.
- (c) Water lead agency. The department is not the lead agency for approval of water general plans. The county developing the water general plan shall be the lead agency as required by WAC 197-10-205.
- (d) Timing and procedures for water general plans. Every water general plan submitted by a county to the

department for review and approval shall be accompanied by either a final declaration of nonsignificance or a final EIS.

- (6) Plans and specifications for new sewage treatment works or for major extensions to existing sewage treatment works.
- (a) Scope of major action. Plans and specifications for new sewage treatment works or for major extensions to existing sewage treatment works are those which are reviewed and approved by the department pursuant to WAC 248-92-040.
- (b) Lead agency. The department is not the lead agency for approval of such plans and specifications. Applicants for such approval should contact the Washington state department of ecology for information on lead agency determination.
- (7) Construction of any building, facility or other installation for the purpose of housing department personnel or for prisons or for fulfilling other statutorily directed or authorized functions.
- (a) Scope of major action. The construction of buildings, facilities or other installations for the purpose of housing department personnel or for other authorized functions shall be subject to SEPA requirements, but such construction shall not be subject to SEPA requirements when it consists of remodeling, equipment acquisition or additions which provide less than four thousand square feet of floor area and with associated parking facilities designed for twenty automobiles or less or when it consists of one of the other categories exempted by WAC 197-10-170(1).
- (b) Lead agency. The lead agency for construction of the type described in WAC 248-06-174(7)(a) is the department.
- (c) Responsible official. The responsible official who shall oversee the department's lead agency duties for construction of the type described is the Capital Programs Section, Office of Staff Services, Administrative Services Division.
 - (d) Timing and procedures.
- (i) The responsible official shall, prior to the request for construction bids, prepare an environmental checklist for each construction project of the type described in WAC 248-06-174(7)(a).
- (ii) Within fifteen days of the request for construction bids, the responsible official shall make (A) a written declaration of nonsignificance where he determines that the proposed construction will not have a significant adverse environmental impact or (B) a written declaration of significance where he determines that the proposed construction will have a significant adverse environmental impact.
- (iii) Where the responsible official has made a declaration of significance, he shall proceed to prepare the draft and final EIS. The organization, style, and content of the draft and final EIS shall conform to the requirements of WAC 197-10-425 through WAC 197-10-446. Unless the scope or complexity of the proposal indicates otherwise, the final EIS shall be completed within seventy-five days of the draft EIS (see WAC 248-06-550).

- (iv) The responsible official shall request review of the draft EIS from the agencies listed in WAC 197-10-460 and from such other agencies as he determines.
- (v) The responsible official shall mail to the department of ecology headquarters office in Olympia for listing in the "SEPA Register" (see WAC 248-06-831) a copy of any final declaration of nonsignificance for which a proposed declaration of significance has been circulated per WAC 197-10-340(7), a copy of the draft EIS, and a copy of the final EIS. Copies of the draft EIS shall also be mailed to those agencies identified in WAC 197-10-460, and of the final EIS to those agencies identified in WAC 197-10-600. The responsible official shall also give public notice in the form and manner specified in RCW 43.21C.080 of the final declaration of nonsignificance or final EIS.
- (8) Approval of final plans for construction of a nursing home pursuant to WAC 248-14-100, construction of a private psychiatric hospital pursuant to WAC 248-22-015, or construction of an alcoholism treatment center pursuant to WAC 248-22-510.
- (a) Scope of major action. The approval of final plans for construction of a nursing home pursuant to WAC 248-14-100, construction of a private psychiatric hospital pursuant to WAC 248-22-015, or construction of an alcoholism treatment center pursuant to WAC 248-22-510 shall be subject to SEPA requirements: PROVIDED, That such construction shall not be subject to SEPA requirements when it consists of remodeling, equipment acquisition or additions which provide less than four thousand square feet of floor area and with associated parking facilities designed for twenty automobiles or less.
 - (b) Lead agency.
- (i) Where construction of the type described in WAC 248-06-174(8)(a) is undertaken by a private applicant, the lead agency for that project shall be determined in accordance with WAC 197-10-220, that is, the lead agency shall be the city or county within which the hospital is located.
- (ii) Where construction of the type described in WAC 248-06-174(8)(a) is undertaken by a state agency or local agency other than the department, that state or local agency shall be the lead agency in accordance with WAC 197-10-205.
- (iii) Where construction of the type described in WAC 248-06-174(8)(a) is undertaken by the department, the department shall be the lead agency. See WAC 248-06-174(7).
- (c) Timing and procedures for construction of the type described. Where a state or local agency other than the department is lead agency for construction of the type described in WAC 248-06-174(8)(a), the department shall not approve final plans for construction of a nursing home, private psychiatric hospital, or alcoholism treatment center until the applicant for such approval has supplied the department with a final declaration of nonsignificance or a final EIS for the construction in question, and until seven days after the issuance by the lead agency of any final EIS.



AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

WAC 248-06-175 EXEMPTIONS AND NON-EXEMPTIONS APPLICABLE TO DSHS. See WAC 248-06-174 which sets out timing and procedures for specified major actions. ((TIMING AND PROCE-DURES FOR SPECIFIED MAJOR ACTIONS. As of December 12, 1975, the only actions of the department which are major actions are those specified in WAC 197-10-175. It should however be noted that programs entered into by the department after this date could constitute major actions even though not appearing in WAC 197-10-175 (refer to WAC 248-06-176 and WAC 248-06-810. It should also be noted that the department is not necessarily the lead agency for all of the major actions listed in WAC 197-10-175. Furthermore, aspects of the major actions listed in WAC 197-10-175 may be exempt from SEPA requirements because of their emergency nature (refer to WAC 248-06-180).

The material which follows in this section describes the timing and procedures to be observed by the appropriate department section for each of the major actions specified in WAC 197-10-175:

- (1) Regulations Relating to Radioactive Source Material. (a) Scope of Major Action. Regulations relating to radioactive source material shall include the adoption or amendment by the department of any regulations incorporating general standards respecting the issuance of licenses authorizing the possession, use and transfer of radioactive source material pursuant to RCW 70.98.080: PROVIDED, That the issuance, revocation or suspension of individual licenses thereunder shall be exempt.
- (b) Lead Agency. The department shall be lead agency for adoption or amendment of regulations described in paragraph (a) above.
- (c) Responsible Official. The responsible official for administering SEPA guidelines as they apply to the adoption or amendment of regulations described in paragraph (a) above shall be the Occupational Health Section, Office of Environmental Health Programs, Health Services Division.
 - (d) Timing of SEPA Requirements.
- (i) A final EIS or final Declaration of Non-Significance, whichever is determined appropriate by the lead agency's responsible official, shall be completed for proposed regulations relating to radioactive source material prior to the hearing preceding final adoption of such regulations.
- (ii) The responsible official shall notify the SEPA Public Information Center of a declaration of non-significance so that it may be listed in the "Proposed Declaration of Non-Significance Register" or of a declaration of significance for listing in the "EIS in Preparation Register".
- (iii) The responsible official shall notify the SEPA Public Information Center of the completion of a draft or final EIS for listing in the "EIS Available Register".
 - (2) Comprehensive Plans for Public Water Supplies.
- (a) Scope of Major Action. Comprehensive plans for public water supplies are plans developed and submitted

- to the department for review and approval pursuant to WAC 248-54-280.
- (b) Lead Agency. When an agency develops such comprehensive plans, that agency shall assume lead agency status as required by WAC 197-10-205. When comprehensive plans are developed by a private applicant, the department shall be the lead agency unless indicated otherwise by WAC 197-10-220 or WAC 197-10-225.
- (c) Responsible Official. When the department is the lead agency for a comprehensive plan, the responsible official within the department shall be the Water Supply and Waste Section, Office of Environmental Health Programs, Health Services Division.
- (d) Timing and Procedures for Comprehensive Plans Prepared by Private Applicants.
- (i) In general, where a private applicant has prepared a comprehensive plan for review and approval by the department, the private applicant shall be responsible for completing an environmental checklist, furnishing additional information needed by the department to make the threshold determination, and preparing the draft and final EIS under the direction of the responsible official. The following material presents a more detailed description of the responsibilities of the private applicant as well as of the responsible official.
- (ii) The private applicant shall be responsible for contacting the responsible official during the early stages of the applicant's planning activities to obtain an outline of SEPA requirements.
- (iii) Thereafter the private applicant shall be responsible for preparation of an environmental checklist. The responsible official shall review each environmental checklist and, within 15 days of the responsible official's receipt of the checklist, shall send to the applicant (a) a written declaration of non-significance where the responsible official determines that the proposed comprehensive plan will not have a significant adverse environmental impact or (b) a written declaration of significance where he determines that the proposed comprehensive plan will have a significant adverse environmental impact. Where the Proposed SEPA related activities impact other agencies with jurisdictions the lead agency shall list the Proposed Declarations of Non-Significance in the "Proposed Declaration of Non-Significance Register" at its SEPA public information center. All such declarations shall be attached to the environmental checklist as evaluated by the lead agency and transmitted to other agencies with jurisdiction and to the SEPA public information center of the lead agency:
- (iv) Where the responsible official has made a declaration of non-significance, he shall notify the department's SEPA Public Information Center so that the declaration may be listed in the "Proposed Declaration of Non-Significance Register." Similarly, where the responsible official has made a declaration of significance, he shall notify the SEPA Public Information Center so that the declaration may be listed in the "EIS in Preparation Register." Where the Proposed SEPA related activities impact other agencies with jurisdictions the lead agency shall list the Proposed Declarations of Non-

Significance in the "Proposed Declaration of Non-Significance Register" at its SEPA public information center. All such declarations shall be attached to the environmental checklist as evaluated by the lead agency and transmitted to other agencies with jurisdiction and to the SEPA public information center of the lead agency.

- (v) When the responsible official makes a declaration of significance, the preparation of a draft and final EIS shall be the responsibility of the private applicant. If the applicant desires he may contract with an outside consultant for the preparation of the draft or final EIS.
- (vi) The organization, style, and content of the draft and final EIS shall conform to the requirements of WAC 197-10-425, WAC 197-10-440 and WAC 197-10-442.
- (vii) The responsible official shall request review from the agencies listed in WAC 197-10-460 and from such other agencies as he determines.
- (viii) The responsible official shall notify the department's SEPA Public Information Center when a draft or final EIS has been received so that it may be listed in the "EIS Available Register."
- (ix) Every comprehensive plan submitted by a private applicant to the department for review and approval shall be accompanied by either a final declaration of non-significance or a final EIS or a supplemental EIS if an EIS has been previously prepared but significant changes have now been proposed.
- (e) Timing and Procedure for Comprehensive Plans Prepared by Agencies. Every comprehensive plan submitted by an agency to the department for review and approval shall be accompanied by either a final declaration of non-significance or a final EIS or, where appropriate, a supplemental EIS.
- (3) New Public Water Supply Systems and Major Extensions of Existing Public Water Supply Systems.
- (a) Scope of Major Action. New public water supply systems shall mean all new systems designed for or capable of providing service to ten or more dwelling units. Major extensions to existing public water supply systems shall mean additions and extensions which are themselves designed for or capable of providing service to 50 or more dwelling units. The department reviews and approves such new systems and extensions to existing systems pursuant to chapter 248-54 WAC.
- (b) Lead Agency. When an agency constructs a new public water supply system or a major extension to an existing public water supply system, that agency shall assume lead agency status pursuant to WAC 197-10-205. When a private applicant constructs a new public water supply system or a major extension to an existing public water supply system, the department shall be the lead agency unless indicated otherwise by WAC 197-10-220 and WAC 197-10-225.
- (c) Responsible Official. When the department is the lead agency for a new public water supply system or a major extension to an existing public water supply system, the responsible official within the department shall be the Water Supply and Waste Section, Office of Environmental Health Programs, Health Services Division.

- (d) Timing and Procedures for Projects Proposed by Private Applicants.
- (i) In general, when a private applicant seeks the approval of the department for a new public water supply or a major extension to an existing public water supply, the private applicant shall be responsible for completing an environmental checklist, furnishing additional information needed by the department to make the threshold determination, and preparing the draft and final EIS under the direction of the responsible official. The following material presents a more detailed description of the responsibilities of the private applicant as well as of the responsible official.
- (ii) The private applicant shall be responsible for contacting the responsible official during the early stages of the applicant's planning activities to obtain an outline of SEPA requirements.
- (iii) Thereafter the private applicant shall be responsible for preparation of an environmental checklist. The responsible official shall review each environmental checklist and, within 15 days of the responsible official's receipt of the checklist, shall send to the applicant (a) a written declaration of non-significance where the responsible official determines that the proposed comprehensive plan will not have a significant adverse environmental impact or (b) a written declaration of significance where he determines that the proposed comprehensive plan will have a significant adverse environmental impact. Where the Proposed SEPA related activities impact other agencies with jurisdictions the lead agency shall list the Proposed Declarations of Non-Significance in the "Proposed Declaration of Non-Significance Register" at its SEPA public information center. All such declarations shall be attached to the environmental checklist as evaluated by the lead agency and transmitted to other agencies with jurisdiction and to the SEPA public information center of the lead agency.
- (iv) Where the responsible official has made a declaration of non-significance, he shall notify the department's SEPA Public Information Center so that the declaration may be listed in the "Proposed Declaration of Non-Significance Register." Similarly where the responsible official has made a declaration of significance, he shall notify the SEPA Public Information Center so that the declaration may be listed in the "EIS in Preparation Register." Where the Proposed SEPA related activities impact other agencies with jurisdictions the lead agency shall list the Proposed Declarations of Non-Significance in the "Proposed Declaration of Non-Significance Register" at its SEPA public information center. All such declarations shall be attached to the environmental checklist as evaluated by the lead agency and transmitted to other agencies with jurisdiction and to the SEPA public information center of the lead
- (v) When the responsible official makes a declaration of significance, the preparation of a draft and final EIS shall be the responsibility of the private applicant. If the applicant desires, he may contract with an outside consultant for preparation of the draft or final EIS.

- (vi) The organization, style, and content of the draft and final EIS shall conform to the requirements of WAC 197-10-425, WAC 197-10-440 and WAC 197-10-442.
- (vii) The responsible official shall request review from the agencies listed in WAC 197-10-460 and from such other agencies as he determines.
- (viii) The responsible official shall notify the department's SEPA Public Information Center when a draft or final EIS has been received so that it may be listed in the "EIS Available Register."
- (ix) Whenever preliminary engineering reports, plans and specifications for a new public water supply or a major extension to an existing public water supply are submitted by a private applicant to the secretary for his review and approval pursuant to WAC 248-54-290 and WAC 248-54-300, these reports, plans, and specifications shall be accompanied by a final declaration of non-significance, a final EIS, or, where appropriate, a supplemental EIS:
- (e) Timing and Procedures for Projects Proposed by an Agency. Whenever preliminary engineering reports, plans, and specifications for a new public water supply or a major extension to an existing public water supply are submitted by an agency to the secretary for his review and approval pursuant to WAC 248-54-290 and WAC 248-54-300, these reports, plans and specifications shall be accompanied by a final declaration of non-significance, a final EIS, or, where appropriate, a supplemental EIS.
 - (4) Certificates of Need.
- (a) Scope of Major Action. Certificate of need applications are subject to SEPA requirements whenever the applicant proposes to construct a new hospital or to construct major additions to the existing service capacity of such an institution: PROVIDED, That such applications are not subject to SEPA requirements when the proposed construction consists of remodeling, equipment acquisition or additions which provide less than 4,000 square feet of floor area and with associated parking facilities designed for twenty automobiles or less: PROVIDED, FURTHER, That certificate of need applications for "substantial acquisitions" are not subject to SEPA requirements.
- (b) Lead Agency. The lead agency for certificate of need applications is the department.
- (c) Responsible Official. The responsible official who shall oversee the department's lead agency duties for certificates of need is the Health Systems Review Section, Office of Health Resources Development, Health Services Division.
 - (d) Timing and Procedures.
- (i) The responsible official shall provide a packet of information including an environmental checklist and instructions for its completion to hospitals with certificate of need application forms.
- (ii) When a hospital's certificate of need application is subject to SEPA requirements (refer to WAC 248-06-175 (4)(a)), the hospital shall complete and submit an environmental checklist prior to submission of a certificate of need application. If it is determined that an environmental impact statement is required, the hospital

- shall submit the draft environmental impact statement at the time the certificate of need application is submitted.
- (iii) The responsible official shall review each environmental checklist and, within 15 days of the responsible official's receipt of the checklist, shall send to the applicant (a) a written declaration of non-significance where the responsible official determines that the proposed construction will not have a significant adverse environmental impact or (b) a written declaration of significance where he determines that the proposed construction will have a significant adverse environmental impact. Where the Proposed SEPA related activities impact other agencies with jurisdictions the lead agency shall list the Proposed Declarations of Non-Significance in the "Proposed Declaration of Non-Significance Register" at its SEPA public information center. All such declarations shall be attached to the environmental checklist as evaluated by the lead agency and transmitted to other agencies with jurisdiction and to the SEPA public information center of the lead agency.
- (iv) Where the responsible official has made a declaration of non-significance, he shall notify the department's SEPA Public Information Center so that the declaration may be listed in the "Proposed Declaration of Non-Significance Register." Similarly, where the responsible official has made a declaration of significance, he shall notify the SEPA Public Information Center so that the declaration may be listed in the "EIS in Preparation Register." Where the Proposed SEPA related activities impact other agencies with jurisdictions the lead agency shall list the Proposed Declarations of Non-Significance in the "Proposed Declaration of Non-Significance Register" at its SEPA public information center. All such declarations shall be attached to the environmental checklist as evaluated by the lead agency and transmitted to other agencies with jurisdiction and to the SEPA public information center of the lead agency.
- (v) When the responsible official makes a declaration of significance, the preparation of a draft and final EIS shall be the responsibility of the applicant for the certificate of need. If the applicant desires, he may contract with an outside consultant for preparation of the draft or final EIS:
- (vi) The organization, style, and content of the draft and final EIS shall conform to the requirements of WAC 197-10-425, WAC 197-10-440 and WAC 197-10-442.
- (vii) The responsible official shall request review from the agencies listed in WAC 197-10-460 and from such other agencies as he determines.
- (viii) The responsible official shall notify the department's SEPA Public Information Center when a draft or final EIS has been received so that it may be listed in the "EIS Available Register."
- (5) Approval of Sewerage General Plans and/or Water General Plans.
- (a) Scope of Major Action. Sewerage general plans and water general plans shall mean and include those described in RCW 36.94.010.

- (b) Sewerage Lead Agency. The department is not the lead agency for approval of sewerage general plans. Applicants for approval of sewerage general plans should contact the Washington state department of ecology for information on lead agency determination.
- (c) Water Lead Agency. The department is not the lead agency for approval of water general plans. The county developing the water general plan shall be the lead agency as required by WAC 197-10-205.
- (d) Timing and Procedures for Water General Plans. Every water general plan submitted by a county to the department for review and approval shall be accompanied by either a final declaration of non-significance or a final EIS or, where appropriate, a supplemental EIS.
- (6) Plans and Specifications for New Sewage Treatment Works or for Major Extensions to Existing Sewage Treatment Works.
- (a) Scope of Major Action. Plans and specifications for new sewage treatment works or for major extensions to existing sewage treatment works are those which are reviewed and approved by the department pursuant to WAC 248-92-040.
- (b) Lead Agency. The department is not the lead agency for approval of such plans and specifications. Applicants for such approval should contact the Washington state department of ecology for information on lead agency determination.
- (7) Construction of any Building, Facility or other Installation for the Purpose of Housing Department Personnel or for Prisons or for Fulfilling Other Statuto-rily Directed or Authorized Functions.
- (a) Scope of Major Action. The construction of buildings, facilities or other installations for the purpose of housing department personnel or for prisons or for fulfilling other statutorily directed or authorized functions shall be subject to SEPA requirements, but such construction shall not be subject to SEPA requirements when it consists of remodeling, equipment acquisition or additions which provide less than 4,000 square feet of floor area and with associated parking facilities designed for twenty automobiles or less or when it consists of one of the other categories exempted by WAC 197-10-170(1).
- (b) Lead Agency. The lead agency for construction of the type described in WAC 248-06-175(7)(a) is the department.
- (c) Responsible Official. The responsible official who shall oversee the department's lead agency duties for construction of the type described is the Capital Programs and Facilities Management Section, Office of Staff Services, Administrative Services Division.
 - (d) Timing and Procedures.
- (i) The responsible official shall, prior to the request for construction bids, prepare an environmental checklist for each construction project of the type described in WAC 248-06-175(7)(a). Where the Proposed SEPA related activities impact other agencies with jurisdictions the lead agency shall list the Proposed Declarations of Non-Significance in the "Proposed Declaration of Non-Significance Register" at its SEPA public information center. All such declarations shall be attached to the environmental checklist as evaluated by the lead agency

- and transmitted to other agencies with jurisdiction and to the SEPA public information center of the lead agency.
- (ii) Within 15 days of the request for construction bids, the responsible official shall make (a) a written declaration of non-significance where he determines that the proposed construction will not have a significant adverse environmental impact or (b) a written declaration of significance where he determines that the proposed construction will have a significant adverse environmental impact. Where the Proposed SEPA related activities impact other agencies with jurisdictions the lead agency shall list the Proposed Declarations of Non-Significance in the "Proposed Declaration of Non-Significance Register" at its SEPA public information center. All such declarations shall be attached to the environmental checklist as evaluated by the lead agency and transmitted to other agencies with jurisdiction and to the SEPA public information center of the lead agency.
- (iii) Where the responsible official makes a declaration of non-significance, he shall notify the department's SEPA Public Information Center so that the declaration may be listed in the "Proposed Declaration of Non-Significance Register." Similarly, where the responsible official has made a declaration of significance, he shall notify the SEPA Public Information Center so that the declaration can be listed in the "EIS in Preparation Register." Where the Proposed SEPA related activities impact other agencies with jurisdictions the lead agency shall list the Proposed Declarations of Non-Significance in the "Proposed Declaration of Non-Significance Register" at its SEPA public information center. All such declarations shall be attached to the environmental checklist as evaluated by the lead agency and transmitted to other agencies with jurisdiction and to the SEPA public information center of the lead agency.
- (iv) Where the responsible official has made a declaration of significance, he shall proceed to prepare the draft and final EIS. The organization, style, and content of the draft and final EIS shall conform to the requirements of WAC 197-10-425, WAC 197-10-440, and WAC 197-10-442.
- (v) The responsible official shall request review from the agencies listed in WAC 197-10-460 and from such other agencies as he determines.
- (vi) The responsible official shall notify the department's SEPA Public Information Center when a draft of the final EIS has been received so that it may be listed on the "EIS Available Register."
- (8) Approval of Final Plans for Construction of a Nursing Home Pursuant to WAC 248-14-100, Construction of a Private Psychiatric Hospital Pursuant to WAC 248-22-015, or Construction of an Alcoholism Treatment Center Pursuant to WAC 248-22-510.
- (a) Scope of Major Action. The approval of final plans for construction of a nursing home pursuant to WAC 248-14-100, construction of a private psychiatric hospital pursuant to WAC 248-22-015, or construction of an alcoholism treatment center pursuant to WAC 248-22-510 shall be subject to SEPA requirements: PROVIDED, That such construction shall not be subject to SEPA requirements when it consists of remodeling;

equipment acquisition or additions which provide less than 4,000 square feet of floor area and with associated parking facilities designed for twenty automobiles or less: PROVIDED, FURTHER, That certificate of need applications for "substantial acquisitions" shall not be subject to SEPA requirements.

- (b) Lead Agency. The lead agency for construction of the type described in WAC 248-06-175(8)(a) is the department.
- (c) Responsible Official. The responsible official who shall oversee the department's lead agency duties for construction of the type described shall be the Health Systems Review Section, Office of Health Resources Development, Health Services Division.

(d) Timing and Procedures.

- (i) The responsible official shall provide a packet of information including an environmental checklist and instructions for its completion to nursing homes, psychiatric hospitals and alcoholism treatment facilities after a certificate of need for such facilities has been approved but prior to the granting to such facilities of a license.
- (ii) Nursing homes, private psychiatric hospitals and alcoholism treatment centers when seeking approval of final construction plans as described in WAC 248-06-175(8)(a) shall complete an environmental checklist for any project subject to these regulations at the time of submission of preliminary construction plans for review by the department.
- (iii) The responsible official shall review each environmental checklist and, within 15 days of his receipt of the checklist, shall send to the applicant (a) a written declaration of non-significance where he determines that the proposed construction will not have a significant adverse environmental impact or (b) a written declaration of significance where he determines that the proposed construction will have a significant adverse environmental impact.
- (iv) Where the responsible official has made a declaration of non-significance, he shall notify the department's SEPA Public Information Center so that the declaration may be listed in the "Proposed Declaration of Non-Significance Register." Similarly, where he has made a declaration of significance, he shall notify the SEPA Public Information Center so that the declaration may be listed in the "EIS in Preparation Register." Where the Proposed SEPA related activities impact other agencies with jurisdictions the lead agency shall list the Proposed Declarations of Non-Significance in the "Proposed Declaration of Non-Significance Register" at its SEPA public information center. All such declarations shall be attached to the environmental checklist as evaluated by the lead agency and transmitted to other agencies with jurisdiction and to the SEPA public information center of the lead agency.
- (v) When the responsible official makes a declaration of significance, the preparation of a draft and final EIS shall be the responsibility of the applicant. If the applicant desires, he may contract with an outside consultant for preparation of the draft and final EIS.
- (vi) The organization, style, and content of the draft and final EIS shall conform to the requirements of

WAC 197-10-425, WAC 197-10-440 and WAC 197-10-442.

(vii) The responsible official shall request review from the agencies listed in WAC 197-10-460 and from such other agencies as he determines:

(viii) The responsible official shall notify the department's SEPA Public Information Center when a draft or final EIS has been received so that it may be listed in the "EIS Available Register."))

AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

WAC 248-06-176 TIMING AND PROCE-DURES FOR NEW DEPARTMENT PROGRAMS. Notwithstanding their omission from WAC 197-10-175 and 248-06-174 programs entered into by the department after December 12, 1975 may constitute major actions. ((When the department is the lead agency for such new programs constituting major actions, it will have to comply with the full range of SEPA requirements.)) The material which follows in this section lists new department programs constituting major actions and sets out timing and procedures for ((major)) those actions ((for which the department is lead agency)).

(((1))) Coordinated Water System Plans.

(((a))) (1) Scope of Major Action. Coordinated water system plans shall mean and include those described in ((WAC 173-590-060)) RCW 70.116.050.

- (((b))) (2) Lead Agency. When an agency develops a coordinated water system plan, that agency shall assume lead agency status as required by WAC 197-10-205. When a coordinated water system plan is developed by a private applicant, the department shall be the lead agency unless indicated otherwise by WAC ((197-10-220 or WAC)) 197-10-205 through 197-10-225.
- (((c))) (3) Timing and Procedures for Coordinated Water System Plans. ((Every coordinated water system plan submitted to the department for review and approval shall be accompanied by either a final declaration of non-significance or a final EIS or, where appropriate, a supplemental EIS:))
- (a) Every coordinated water system plan submitted to the department for review and approval shall be accompanied by either a final declaration of significance or a final EIS.
- (b) The responsible official shall mail to the department of ecology headquarters office in Olympia for listing in the "SEPA Register" (see WAC 248-06-831) a copy of any final declaration of nonsignificance for which a proposed declaration of significance has been circulated per WAC 197-10-340(7), a copy of the draft EIS, and a copy of the final EIS. Copies of the draft EIS shall also be mailed to those agencies identified in WAC 197-10-460, and of the final EIS to those agencies identified in WAC 197-10-600. The responsible official shall also give public notice in the form and manner specified in RCW 43.21C.080 of the final declaration of nonsignificance or final EIS.

AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

WAC 248-06-180 EXEMPTIONS FOR EMER GENCY ACTIONS. If the secretary makes a written declaration that actions must be undertaken immediately or within a time too short to allow full compliance with SEPA requirements; and that such actions are necessary to avoid an imminent threat to public health or safety, or to prevent an imminent danger to public or private property, or to prevent an imminent threat of serious environmental degradation; then such actions may be undertaken without complying with SEPA requirements: PROVIDED, That the department is the lead agency for such actions. ((The secretary shall file his written declaration with the department's SEPA Public Information Center.))

AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

WAC 248-06-203 DETERMINATION OF LEAD AGENCY. (1) The department shall be the lead agency for

- (a) Adoption or amendment of regulations relating to radioactive source materials; proposals to construct, operate, or expand any uranium or thorium mill, or any tailings areas generated by uranium or thorium milling, or any low level radioactive waste burial facilities.
- (b) Approval of comprehensive plans for public water supply systems when such plans are developed by private applicants and unless indicated otherwise by WAC 197–10–220 and ((WAC)) 197–10–225;
- (c) Approval of new public water supply systems or major extensions of existing public water supply systems when such public water supply systems are being proposed by a private applicant unless indicated otherwise by WAC 197-10-220 and ((WAC)) 197-10-225;
- (d) ((Approval of certificates of need for hospital construction;
- (e))) Construction of any building, facility, or other installation for the purpose of housing department personnel or for prisons or for fulfilling other statutorily directed or authorized functions;
- (((f) Approval of final plans for construction of a nursing home pursuant to WAC 248-14-100, construction of a private psychiatric hospital pursuant to WAC 248-22-015, or construction of an alcoholism treatment center pursuant to WAC 248-22-510;
- (g)) (e) Approval pursuant to WAC 173-590-060 of co-ordinated water system plans developed by private applicants unless indicated otherwise by WAC 197-10-220 and ((WAC)) 197-10-225.
- (2) Determination of the lead agency for department major actions not listed above shall be made in accordance with the procedures and requirements of WAC ((248-06-830(3)(a))) 248-06-815(3)(c), ((WAC)) 248-06-176, and ((WAC)) 197-10-203 through 197-10-270.

AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

WAC 248-06-305 RECOMMENDED TIMING FOR THRESHOLD DETERMINATION. In most cases the time required to complete a threshold determination should not exceed ((15)) fifteen days. The initial review of a completed environmental checklist can usually be completed in a matter of hours. If further information is required to make the threshold determination, the time required will vary, depending upon the nature of the proposal and the information required. The time required for the threshold determination may also exceed ((15)) fifteen days when an intra-agency review of the threshold determination has been requested. ((When a threshold determination is expected to require more than 15 days to complete and a private applicant requests notification of the date when a threshold determination will be made, the lead agency shall transmit to the private applicant a written statement as to the expected date of decision.)) When a private applicant requests notification of the date when a threshold determination will be made, the lead agency shall so notify the private applicant in writing.

NEW SECTION

WAC 248-06-340 NEGATIVE THRESHOLD DETERMINATIONS. (1) When the department as lead agency determines that a proposal will not have a significant adverse environmental impact, the department shall prepare a proposed or final declaration of nonsignificance, as appropriate, substantially in the form provided in WAC 197-10-355.

- (2) The department shall prepare a final declaration of nonsignificance for all proposals except for those listed in subsection (3) of this section.
- (3) When the department has made a threshold determination of nonsignificance for any of the following proposals, it shall prepare a proposed declaration of nonsignificance and comply with the requirements of subsection (4) of this section prior to taking any further action on the proposal:
- (a) Proposals which have another agency with jurisdiction.
- (b) Proposals involving demolition of any structure or facility not exempted by WAC 197-10-170(1)(n) or 197-10-180.
- (c) Proposals involving issuance of clearing or grading permits not exempted by WAC 197-10-170, 197-10-175 or 197-10-180.
- (4) The department shall issue all proposed declarations of nonsignificance by sending the proposed declaration and the environmental checklist to other agencies with jurisdiction. Any person or agency may submit written comments on the proposed declaration of nonsignificance to the department within fifteen days from the date of issuance of the proposed declaration. The department shall take no further action on the proposal for fifteen days from the date of issuance of the proposed declaration. After the fifteen days have elapsed and after considering any comments, the department shall adopt

the proposed declaration as a "final declaration of nonsignificance", or determine that the proposal is significant, or utilize additional information gathering mechanisms. When a final declaration of nonsignificance results from a proposed declaration of nonsignificance, that final declaration of nonsignificance shall be sent to the department of ecology headquarters office in Olympia for listing on the "SEPA Register".

NEW SECTION

WAC 248-06-350 AFFIRMATIVE THRESH-OLD DETERMINATION. In the event the department determines that the proposal will have a significant adverse effect upon the quality of the environment, it shall prepare a declaration of significance using the form in WAC 197-10-355. This form shall be retained in the files of the department with a copy sent to the applicant. Thereafter the department shall begin the EIS preparation procedures of WAC 197-10-400 through 197-10-695.

AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

WAC 248-06-380 INTRA-AGENCY REVIEW OF THRESHOLD DETERMINATIONS. (1) Any member of the general public, agency with jurisdiction or agency with expertise may request the department to review a threshold determination by filing such a request in writing with the ((department's SEPA Public Information Center)) appropriate responsible official.

- (2) The ((SEPA Public Information Center)) responsible official will keep the original request and send a copy of the request for review to the office chief who has line authority in the department over the responsible official. The ((SEPA Public Information Center)) responsible official shall notify the persons or agencies requesting the review of the mailing address of the office chief.
- (3) The office chief will then conduct an informal administrative review of the threshold determination. The office chief shall accept and consider written argument from the persons or agencies requesting the review. The office chief may in his discretion accept and consider written argument from other interested parties, hear oral argument from the persons or agencies requesting the review or from other interested parties, and allow some or all of the parties to be present at the review. Such review shall, however, not be deemed a contested—case hearing.
- (4) At the conclusion of his review, the office chief will notify in writing the persons or agencies requesting review((;)) and the responsible official((, and the SEPA Public Information Center)) of his decision. ((The SEPA Public Information Center will then take note of the decision by a listing, as appropriate, in either the "Proposed Declaration of Non-Significance Register" or the "EIS in Preparation Register."))

NEW SECTION

WAC 248-06-410 PREDRAFT CONSULTATION. When the department is consulted by a lead

agency during predraft consultation, the department shall respond in writing to the lead agency within forty-five days of the department's receipt of the consultation request and packet. Refer to WAC 248-06-510.

AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

WAC 248-06-420 PREPARATION OF EIS BY PERSONS OUTSIDE THE LEAD AGENCY. Reference should be made to WAC ((248-06-175)) 248-06-174, which sets out the occasions when the department will require a private applicant to prepare a draft or final EIS.

NEW SECTION

WAC 248-06-455 DRAFT EIS CONSULTATION. When the department is consulted by a lead agency concerning a draft EIS, the department shall review the draft and forward its written comments and information to the lead agency within thirty-five days of the issuance of the draft EIS. Refer to WAC 248-06-510.

NEW SECTION

WAC 248-06-460 ISSUANCE OF DRAFT EIS. When the department is lead agency, it shall issue the draft EIS by sending copies to:

- (1) The department of ecology.
- (2) Each federal agency having jurisdiction by law over a proposed action.
- (3) Each agency having jurisdiction by law over, or environmental expertise pertaining to a proposed action, as defined by WAC 197-10-040 and 197-10-465.
- (4) Each city/county in which adverse environmental effects identified in the draft EIS may occur if the proposed action is implemented. (This subsection does not apply to draft EISs for nonproject actions.)
- (5) Each local agency or political subdivision which will be required to furnish additional public services as a result of implementation of the proposed action.
- (6) The applicable regional planning commission, regional clearing house, state—wide clearing house, or area—wide council of government which has been designated to review and coordinate local governmental planning under the A-95 review process and other federal regulations and programs. (See RCW 36.64.080, 35.63.070 and 36.70.070.)

NEW SECTION

WAC 248-06-480 PUBLIC HEARINGS. (1) A public hearing on the environmental impact of a proposal shall be held whenever one or more of the following situations occur:

- (a) The lead agency determines, in its sole discretion, that a public hearing would assist it in meeting its responsibility to implement SEPA, the state SEPA guidelines, and these agency guidelines; or,
- (b) When fifty or more persons who reside within the state of Washington or who would be adversely affected



by the environmental impact of the proposal make written request to the department for such a hearing within thirty-five days of issuance of the draft EIS; or,

- (c) When two or more agencies with jurisdiction over a proposal make written request to the lead agency for hearing within thirty-five days of the issuance of the draft EIS.
- (2) Whenever a public hearing is held under this section, it shall occur no later than fifty—one days and no earlier than fifteen days from the date of issuance of the draft EIS.

 $\sqrt{\frac{\text{AMENDATORY SECTION}}{\text{filed } 8/26/76)}}$ (Amending Order 1148,

WAC 248-06-510 RESPONSIBILITIES OF THE DEPARTMENT AS A CONSULTED AGENCY. Other lead agencies may request the department for consultation ((prior to)) during a threshold determination, predraft consultation, or review((ing)) of a draft EIS. ((All such requests shall be sent initially to the SEPA Public Information Center, which shall then forward them promptly to the appropriate section of the department for review and comment.)) The department shall then provide consultation in accordance with the requirements of WAC 197-10-530 through ((WAC)) 197-10-545 and the requirements of either WAC 197-10-510 or ((WAC)) 197-10-520 as appropriate. The department shall respond ((promptly)) to the lead agency either with written comments or with a written "no comment((:))" within the time frames set out in WAC 248-06-410 and 248-06-455.

NEW SECTION

WAC 248-06-550 DEADLINE FOR FINAL EIS. The department shall prepare a final EIS within seventy-five days of the issuance of the draft EIS. The department may extend the time period whenever the proposal is unusually large in scope, or the environmental impact of the proposal is unusually complex.

NEW SECTION

WAC 248-06-600 ISSUANCE OF THE FINAL EIS. The final EIS shall be issued by circulating it to the department of ecology, the office of the governor or the governor's designee, the ecological commission, agencies with jurisdiction, and federal agencies with jurisdiction which received the draft EIS. It shall be made available to the public in the same manner and at the same cost as the draft EIS.

AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

WAC 248-06-700 NO ACTION FOR SEVEN DAYS AFTER PUBLICATION OF THE FINAL EIS. The department shall not take any major action (as defined in WAC 197-10-040(24)) on a proposal for which an EIS has been required, prior to seven days from the ((publication)) issuance of the final EIS ((and its listing in the "EIS Available Register" maintained at the department's SEPA Public Information Center)).

AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

WAC 248-06-810 FUTURE AMENDMENTS TO SEPA GUIDELINES. Refer to WAC 248-06-815. ((It shall be the responsibility of the Office of Planning, Planning and Research Division, to oversee the revision of these agency guidelines so as to reflect future amendments of the SEPA guidelines and so as to reflect the creation of new department programs not covered by WAC 197-10-175(7) and by WAC 248-06-175. When such new department programs constitute major actions for which the department is the lead agency, the Office of Planning shall oversee the development of new regulations setting out SEPA timing and procedures for the new department programs. Refer to WAC 248-06-176 and WAC 248-06-203.))

NEW SECTION

WAC 248-06-815 SEPA COMMITTEE. (1)
There is hereby created a SEPA committee to oversee the department's SEPA activities.

- (2) The SEPA committee shall be composed of:
- (a) One representative from the office of environmental health programs, health services division;
- (b) One representative from the health facility development section, office of state health planning and development, health services division;
- (c) One representative from the capital programs section, office of staff services, administrative services division; and
- (d) One representative from the office of the attorney general.
 - (3) The SEPA committee shall:
- (a) Oversee the department's SEPA activities to ensure compliance with these agency guidelines, the state SEPA guidelines, and the policies and goals set forth in the state environmental policy act;
- (b) Oversee the future revision of these agency guidelines so as to reflect:
- (i) Future amendment of SEPA or the state SEPA guidelines;
- (ii) The creation of new department programs not covered by WAC 197-10-175(7) and by WAC 248-06-174. (When such new programs constitute major actions, the committee shall oversee the appropriate revision of WAC 248-06-176 and 248-06-203).
- (c) Designate the responsible official for any major action for which the department is lead agency when such designation has not occurred elsewhere in these agency guidelines.

AMENDATORY SECTION (Amending Order 1148, filed 8/26/76)

<u>WAC 248-06-820</u> DESIGNATION OF RE-SPONSIBLE OFFICIAL. Refer to WAC $((\frac{248-06-175}{248-06-815(3)(c)})$ 248-06-815(3)(c).



NEW SECTION

WAC 248-06-831 SEPA PUBLIC INFORMA-TION. (1) When the department is lead agency, the responsible official shall retain SEPA documents required by this chapter and shall make them available to the public in accordance with chapter 42.17 RCW.

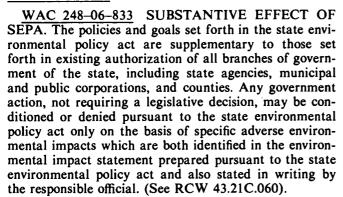
(2) When the department is lead agency, the responsible official shall transmit copies of the following documents to the department of ecology headquarters office

in Olympia:

(a) All draft and final EISs. (See WAC 197-10-460 and 197-10-600).

(b) All final declarations of nonsignificance for which a proposed declaration of nonsignificance has been circulated. (See WAC 197-10-340(7)).

NEW SECTION



REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 248-06-830 SEPA PUBLIC INFORMATION CENTER.

WSR 78-08-013
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1314—Filed July 11, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 388-83-035 relating to monthly maintenance standard—applicant living in own home.

Amd WAC 388-92-030 relating to monthly maintenance standard—person not in institution.

I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is these rules are necessary to comply with the 1977 Budget Act, effective July 1, 1978.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule—making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 11, 1978.

By David Hogan Executive Assistant

AMENDATORY SECTION (Amending Order 1246, filed 10/11/77)

WAC 388-83-035 MONTHLY MAINTE-NANCE STANDARD——APPLICANT LIVING IN OWN HOME. (1) The following monthly standards of available income for maintenance in dollar amounts shall apply when determining financial eligibility effective July 1, ((1977)) 1978.

Family Size	Standard			
1	\$ ((219)) <u>231</u>			
2	((312)) 329			
3	((355)) 375			

For each individual above 3 members in the family, an increase in the amount of (61) 64 shall be added.

- (2) Allowances for the costs of additional requirements in WAC 388-28-150 through 388-28-251 shall not be considered as they have been averaged into the monthly maintenance standard.
- (3) The monthly maintenance standard in subsection (1) does not apply to persons identified in subdivisions (a) and (b); the standards in effect on August 1, 1972 apply.
- (a) Persons who, in August, 1972, received OAA, AFDC, AB or DA and also received RSDI benefits, and who became ineligible for OAA, AFDC, AB or DA solely because of the twenty percent increase in social security benefits under Public Law 92-336;
- (b) Current applicants for AFDC or FAMCO who, in August, 1972, received RSDI benefits and who would have been eligible for OAA, AFDC, AB, or DA in such month but are not currently eligible solely because of the twenty percent increase in social security benefits under Public Law 92-336.
- (4) The monthly maintenance standard in subsection (1) does not apply to persons identified in WAC ((388-83-027(5))) 388-83-028 as categorically related to AFDC but ineligible because of increased income.
- (5) The individual receiving benefits under Title XVI, is not included in the family unit when applying the standards in subsection (1) for determining available income.



AMENDATORY SECTION (Amending Order 1246, filed 10/11/77)

WAC 388-92-030 MONTHLY MAINTE-NANCE STANDARD—PERSON NOT IN INSTITUTION. (1) After computing available income according to WAC 388-92-035(1) through (6) for Title XVI related federal and medical care only, the monthly maintenance standards in subsections (3) and (4) shall be allowed for an individual not in an institution or for dependents maintaining the family home of an institutionalized recipient effective July 1, ((1977)) 1978.

(2) Deleted.

(3) Monthly standard

Family size	Standard			
1	\$ ((219)) <u>231</u>			
2	((312)) 329			
3	((355)) <u>375</u>			

(4) To the standards in subsection (3) for a family of 3, S((61)) 64 shall be added for each additional member.

WSR 78-08-014 EMERGENCY RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Order 1313—Filed July 11, 1978]

- I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to net cash income—determination—board, room rental, board and room, amending WAC 388-28-530.
- I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is confusion will be reduced if the cash assistance rules are consistent with the food stamp rules.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule—making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 11, 1978.

By David Hogan Executive Assistant AMENDATORY SECTION (Amending Order 1234, filed 8/31/77)

WAC 388-28-530 NET CASH INCOME—BOARD, ROOM RENTAL, BOARD AND ROOM.

(1) The net income from operating a rooming, boarding, or boarding and rooming home shall be computed as follows effective July 1, ((1977)) 1978:

- (a) Boarder The board payment received minus \$((52)) 54.
 - (b) Roomer The room rental received minus \$5,
- (c) Boarder and roomer The board and room payment received minus \$((57)) 59.
- (2) If a recipient is engaged in the management and operation of a rooming, boarding or boarding and rooming home, the net income as computed in accordance with subsection (1) is considered earned income to that recipient.

WSR 78-08-015 EMERGENCY RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance)
[Order 1312—Filed July 11, 1978]

- I, David Hogan, Admin. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to food assistance programs, amending chapter 388-54 WAC.
- I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is these changes are mandated by the U. S. Department of Agriculture effective July 1, 1978.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 11, 1978.

By David Hogan Executive Assistant

AMENDATORY SECTION (Amending Order 1303, filed 6/2/78)

WAC 388-54-470 MONTHLY NET INCOME.
(1) For nonassistance households the monthly net food stamp income used to determine eligibility and basis of issuance shall be computed by adding all income and then subtracting all appropriate exclusions and deductions.

- (2) The monthly net income used for basis of issuance of food stamps to public assistance households shall be computed by adding all income and then subtracting all appropriate exclusions and deductions.
- (3) The combined monthly net food stamp income of all members of nonassistance households shall not exceed the following standards effective ((January)) July 1, 1978.

Household Size	Maximum Allowable Income
1 2 3 4 5 6 7 8	
For each additional member add	((133.00)) <u>140.00</u>

- (4) Ineligible aliens, unless excluded as roomers, boarders or attendants, shall have their total income minus a deduction for a one-person household coupon allotment, included as income to the household, unless the household can demonstrate that the income is not accessible for their needs. Ineligible aliens shall be treated as household members in determining income exclusions and deductions, but shall not be counted in the household size for determining the income eligibility standard for the household or its basis of issuance.
- (5) The income of an individual determined ineligible due to tax dependency shall not be considered available to other household members in establishing the household's eligibility and basis of issuance, nor shall he be counted in determining the size of the household. (See WAC 388-54-442)

AMENDATORY SECTION (Amending Order 1266, filed 1/19/78)

- WAC 388-54-480 INCOME EXCLUSIONS. The following shall not be considered as income to the household:
- (1) Income received as compensation for services as an employee or income from self-employment by a child residing in the household who is under ((18)) eighteen years of age and attending at least half time (as defined by the institution), a kindergarten or preschool, a grade school, high school, vocational school, technical school, training program college or university. This exclusion shall not apply if the student is an emancipated minor or living alone as he no longer can be considered a child residing in the household.
- (2) Payments received under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970:
- (a) Payments to persons displaced as a result of the acquisition of real property,

- (b) Relocation payments to a displaced homeowner toward the purchase of a replacement dwelling provided the homeowner purchases and occupies a dwelling within one year following displacement,
- (c) Replacement housing payments to displaced persons not eligible for a homeowner's payment.
- (3) Payments made under the Domestic Volunteer Services Act of 1973 to volunteers participating in the ACTION program.
- (4) Income which is received too infrequently or irregularly to be reasonably anticipated as available during a three-month period, provided such infrequent or irregular income of all household members shall not exceed ((\$30)) thirty dollars in a three-month period.
- (5) Any gain or benefit which is not in money, such as produce from a garden etc., except for shelter from an employer as described in WAC 388-54-475(1)(0).
- (6) Payments in money for medical costs made on behalf of the household by a person other than a member of the household.
- (7) All loans, except loans on which repayment is deferred until completion of the applicant's education.
- (8) All property conveyed to Indian tribes and all receipts therefrom under Public Law 94-114, Section 6, shall not be considered as income nor resources.
- (9) Monies received from insurance settlements, sale of property (except property related to self-employment as previously provided for), cash prizes, awards, and gifts (except those for support, maintenance, or the expense of education), inheritances, retroactive lump-sum social security and railroad retirement pension payments, income tax refunds, and similar nonrecurring lump-sum payments.
- (10) Payments received under the women, infants and children (WIC) program.
- (11) Payments which are reimbursements for expenses incurred in performing volunteer services for nonhousehold members.
- (12) Any payments received by Alaska Natives under the terms of the Alaska Native Claims Settlement Act.
- (13) Payments made to the representative payee who acts on behalf of beneficiaries who are unable to manage the payments. Only those representative payees who demonstrate the following conditions to the eligibility worker's satisfaction shall have the representative payments not included as income to their household:
- (a) the beneficiary is not a member of the payee's household. (If the payee is a member of the beneficiary's household then the payment shall be counted once to the household).
- (b) The payee uses the payment only for the beneficiary's care and maintenance.
- (c) The payee cannot use the payment for any purpose other than the care of the beneficiary without legal liability.
- (d) Representative payments shall be included, however, as income to the beneficiary's household.
- (14) The thirty dollar weekly incentive allowance received only by CETA participants receiving public assistance or whose needs or income are taken into account in determining the amount of public assistance payments

to others. This subsection is effective retroactive to July 1, 1977((, due to a court decision)).

- (15) Earnings received by any youth under The Youth Employment Demonstration Project of 1977 (CETA), as follows:
 - (a) Youth incentive entitlement pilot projects;
- (b) Youth community conservation and improvement projects;
 - (c) Youth employment and training programs.

AMENDATORY SECTION (Amending Order 1303, filed 6/2/78)

- WAC 388-54-485 INCOME DEDUCTIONS. (1) Household expenses shall be deducted in the order listed in this section. In determining monthly food stamp income only the expenses listed shall be deducted. No exceptions shall be approved. The household must pay the expense or anticipate payment during the certification period in which the deduction is claimed. The expenses are deductible even if payment is made from resources. If payments are made by a nonhousehold member on behalf of the household, the expenses are deductible if the payments have been counted as income to the household.
 - (2) Deductible work expense
- (a) Nonassistance household: Ten percent of gross income not to exceed \$30 per household, from:
- (i) Compensation for services performed as an employee, or
- (ii) A training allowance to an individual working and learning a trade at a work site.
- (iii) Any income attributable to the furnishing of housing to a household by an employer. Any vendor payments made on behalf of an employee by an employer or a trainee by the training program or sponsor.
- (b) Assistance household: The public assistance standard deduction for transportation and clothing. (See 388-28-515(4)(b) and (4)(d)).
- (3) Mandatory deductions from earned income which are not elective at the option of the employee such as local, state, and federal income taxes, FICA taxes, mandatory retirement payments, and union dues. Garnishments may be deducted only when they are made for items which would be deductible if paid when incurred, for example, medical costs of more than \$10 a month.
- (4) The total payments for medical expenses; exclusive of special diets, when the costs exceed ((\$\frac{\pi}{10}\)) ten dollars per household.
- (a) Medical expenses may include actual payments for physician and dental services, hospitalization, nursing care in or out of the home, prescription drugs, prescribed medical services, health insurance, medicare payments, the care and feeding of a seeing eye dog, and reasonable medically-related transportation costs.
- (b) The amount to be deducted for an attendant or housekeeper who is necessary for medical care reasons shall be the amount actually paid to the attendant or housekeeper. In addition, for a household which furnishes the attendant or housekeeper the majority of his meals, a deduction equal to the value of the one-person monthly coupon allotment shall be made.

- (5) Payments for the care of a child or other persons when necessary for a household member to accept or continue employment, training or education.
- (a) The amount to be deducted for an attendant or housekeeper who is necessary for child care reasons shall be the amount actually paid to the attendant or housekeeper. In addition, for a household which furnishes the attendant or housekeeper the majority of his meals, a deduction equal to the one-person monthly coupon allotment shall be made.
- (6) Tuition and mandatory fees for education, including such expenses which are covered by scholarships, educational grants, loans, fellowships and veterans' educational benefits. No deduction shall be made for any other educational expenses, such as books, school supplies, meals and transportation.
- (7) Unusual expenses incurred due to an individual household's disaster or casualty losses which could not be reasonably anticipated by the household. Unusual expenses shall be determined in accordance with the following criteria.
- (a) The expense is essential to the continued existence of the household and is necessary to replace or repair items of property damaged or lost through vandalism, fire, theft, flood, tropical storms, or by the elements.
- (b) The expense allowed is for only that portion which exceeds the amount which is paid either in goods or money by a private or public charitable organization.
- (c) The expense is the result of funeral costs which are not reimbursable through social security, veterans' benefits, or the state government.
- (d) The expense allowed will be that paid or anticipated to be paid during the certification period, even though part may be reimbursable through insurance. Insurance reimbursement payments will be treated as lump-sum payments when received, in accordance with WAC 388-54-465.
- (e) The deduction is initially approved by the certification worker's immediate supervisor.
- (f) The expense is not for costs of repair or replacement of property, clothing, etc., which becomes necessary due to mechanical failure, wear and tear, obsolescence, or any other occurrence not directly connected with an individual household disaster.
- (g) The expense is allowed for theft or casualty loss of cash, through fire, flood or similar occurrence. In case of theft, the household shall submit an affidavit to the local office including time, date and amount of theft.
- (i) If a household suffers a theft or casualty loss of cash prior to purchase of its food stamp allotment, the purchase shall be recomputed by deducting the amount of loss from the household's income. Losses suffered subsequent to purchase shall not be deductible.
- (ii) A cash loss resulting from negligence (failure to act in a responsible manner) on the part of the household is not deductible.
 - (8) Court-ordered support and alimony payments.
- (9) Shelter costs in excess of ((30)) thirty percent of the household's income after the above deductions.
- (a) "Shelter costs" mean rent or mortgage payment plus taxes, insurance and assessments, and utility costs

such as heat, cooking fuel, electricity, water, garbage, sewage disposal and basic service fee for one telephone.

- (b) The actual rent or purchase payment plus taxes, insurance and assessments (if not included in the payment) shall be used to compute shelter costs.
- (c) Standardized amounts shall be used to compute the shelter costs for utilities such as heat, cooking fuel, electricity, water, garbage, sewage disposal and telephone and shall be, effective July 1, 1977:

Persons in				
Household	Standard			
1	\$ 66.25			
2	<i>70.70</i>			
<i>3</i>	76.10			
4	82.05			
5	86.65			
6	90.85			
7	<i>95.15</i>			
8	97.60			
9	100.90			
10 or more	105.40			

- (d) If a household requests and can verify that its utility bills are higher than the standards and can reasonably be predicted to continue at a higher rate for the certification period, the actual utility costs must be used. These costs will be calculated according to bills the household anticipates receiving during the certification period, by using the most recent bills actually received or other information available.
- (i) The allowance for telephone service is limited to the basic fee for one telephone plus tax on the basic fee.
- (ii) A household certified for more than one month shall be allowed to switch to or from the standard during its certification period or to the standard if the standard is updated during its certification period.
- (e) Included as part of the household's utility allowance will be any payment, during a certification period, of a utility bill received by the household prior to January 1, 1978, if:
- (i) The bill represents an allowable utility expense which was not used in any previous shelter allowance computations, and
- (ii) The expense has been paid by the household or the household intends to pay it and has sufficient income and/or resources available.

AMENDATORY SECTION (Amending Order 1303, filed 6/2/78)

WAC 388-54-540 BASIS OF COUPON ISSU-ANCE. (1) The department shall assign each eligible household a purchase requirement and total coupon allotment according to the following table. These purchase requirements are effective ((January)) July 1, 1978.

MONTHLY COUPON ALLOTMENT BY HOUSEHOLD SIZE Number of Persons

		Num	per o	Pers	ons			
	1	2	3	4	5	6	7	8
	\$52	\$96	\$138	\$174	\$206	\$248	\$274	\$314
Monthly			. 1		. •	. 4		
Net	N	ionthly	purch	ase requ	uiremei	et		
Income	^	•	•	^	^	0	^	0
\$ 0-19.99	0	0	0	0	0	0	0	Ö
20- 29.99	1 4	1	0	0	0 5	5	5	5
30- 39.99 40- 49.99		7	7	7	8	8	8	8
40- 49.99 50- 59.99	6	10	10	10	11	11	12	12
60- 69.99	8 10	12	13	13	14	14	15	16
70- 79.99	12	15	16	16	17	17	18	19
80- 89.99	14	18	19	19	20	21	21	22
90- 99.99	16	21	21	22	23	24	25	26
100-109.99	18	23	24	25	26	27	28	29
110-119.99	21	26	27	28	29	31	32	33
120-129.99	24	29	30	31	33	34	35	36
130-139.99	27	32	33	34	36	37	38	39
140-149.99	30	35	36	37	39	40	41	42
150-169.99	33	38	40	41	42	43	44	45
170-189.99	39	44	46	47	48	49	50	51
190-209.99	((40))	50	52	53	54	55	56	57
	42							
210-229.99	((42)) 44	56	58	59	60	61	62	63
230-249.99	((42)) 44	62	64	65	66	67	68	69
250-269.99	((42))	68	70	71	72	73	74	75
270 200 00	44	74	76	77	78	79	80	81
270-289.99	44		76 82	83	/8 84	85	86	81 87
290–309.99	,	(76)) 80	02	65	04	85	00	0/
310-329.99		((76))	88	89	90	91	92	93
330-359.99		<u>80</u> ((76))	94	95	96	97	98	99
240 200 00		80		104	105	100	107	100
360-389.99		<u>80</u>	103	104	105	106	107	108
390-419.99		,	112	113	114	115	116	117
420-449.99		((120)) 121	122	123	124	125	126
450-479.99		((120))	131	132	133	134	135
480-509.99			126	140	141	142	143	144
510-539.99			<u>126</u>	140	150	151	152	153
540-569.99			-	(150))	159	160	161	162
				158				
570–599.99			((150)) 158	168	169	170	171
600–629.99				<u>158</u>	177	178	179	180
630-659.99				((178))	187	188	189
					186			
660-689.99				((178)) 188	196	197	198
690-719.99					188	205	206	207
720-749.99					188	214	215	216
750–779.99					((216)) 223	224	225
780 -8 09.99					((216)) 228	233	234
810-839.99					((216)) (243
840–869.99						<u>228</u> 228(<u>242</u> (238)) 250	252
870–899.99						(<u>250</u> (238))	261
900-929.99						(<u>250</u> (238))	270
930–959.99							250 250	(274))
960–989.99							(<u>279</u> (274)) 288
990-1,019.99)	-					(<u>288</u> (274)) 288

288

((274))

1 2 3 4 5 6 7 8 \$52 \$96 \$138 \$174 \$206 \$248 \$274 \$314 Monthly

Net Income 1,020-1,049.99 Monthly purchase requirement

<u>1,050–1,109.99</u> <u>2</u>

- (2) The following formula shall be used for the issuance of coupons to households of more than eight persons.
- (a) For each person in excess of eight, \$40.00 shall be added to the monthly coupon allotment for an eight-person household.
- (b) The purchase requirement for an eight-person household shall be used for households with incomes of \$929.99 or less per month.
- (c) For households with monthly incomes of \$930 or more for each thirty dollars of monthly income (or portion thereof) over \$929.99 nine dollars shall be added to the monthly purchase requirement for an eight-person household with income of \$929.99.
- (d) The maximum monthly purchase requirement for households of more than eight persons shall be determined by adding \$36 for each person over eight to the maximum purchase requirement for an eight-person household.
- (3) The department shall offer an eligible household a monthly or semimonthly issuance, whichever is best geared to the frequency of its receipt of income.

WSR 78-08-016 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed July 11, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04:025, that the Department of Social and Health Services, intends to adopt, amend, or repeal rules concerning:

Amd WAC 388-83-035

relating to monthly maintenance standard—applicant living in own home.

Amd WAC 388-92-030

relating to monthly maintenance standard—person not in institution.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan
Executive Assistant
Department of Social and Health Services
Mail Stop OB-43 C
Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, September 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 13, 1978, and/or orally at 10:00 a.m., Wednesday, September 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: July 11, 1978
By: David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1246, filed 10/11/77)

WAC 388-83-035 MONTHLY MAINTENANCE STAND-ARD—APPLICANT LIVING IN OWN HOME. (1) The following monthly standards of available income for maintenance in dollar amounts shall apply when determining financial eligibility effective July 1, ((1977)) 1978.

Family Size	Standard		
1	\$ ((219)) 231		
2	\$ ((219)) <u>231</u> ((312)) <u>329</u>		
3	((355)) 375		

For each individual above 3 members in the family, an increase in the amount of \$((61)) 64 shall be added.

- (2) Allowances for the costs of additional requirements in WAC 388-28-150 through 388-28-251 shall not be considered as they have been averaged into the monthly maintenance standard.
- (3) The monthly maintenance standard in subsection (1) does not apply to persons identified in subdivisions (a) and (b); the standards in effect on August 1, 1972 apply.
- (a) Persons who, in August, 1972, received OAA, AFDC, AB or DA and also received RSDI benefits, and who became ineligible for OAA, AFDC, AB or DA solely because of the twenty percent increase in social security benefits under Public Law 92-336;
- (b) Current applicants for AFDC or FAMCO who, in August, 1972, received RSDI benefits and who would have been eligible for OAA, AFDC, AB, or DA in such month but are not currently eligible solely because of the twenty percent increase in social security benefits under Public Law 92-336.
- (4) The monthly maintenance standard in subsection (1) does not apply to persons identified in WAC ((388-83-027(5))) 388-83-028 as categorically related to AFDC but ineligible because of increased income.
- (5) The individual receiving benefits under Title XVI, is not included in the family unit when applying the standards in subsection (1) for determining available income.

AMENDATORY SECTION (Amending Order 1246, filed 10/11/77)

WAC 388-92-030 MONTHLY MAINTENANCE STAND-ARD—PERSON NOT IN INSTITUTION. (1) After computing available income according to WAC 388-92-035(1) through (6) for Title XVI related federal and medical care only, the monthly maintenance standards in subsections (3) and (4) shall be allowed for an individual not in an institution or for dependents maintaining the family home of an institutionalized recipient effective July 1, ((1977)) 1978.

(2) Deleted.

(3) Monthly standard

Standard
\$ ((219)) 231
\$ ((219)) <u>231</u> ((312)) <u>329</u> ((355)) <u>375</u>

(4) To the standards in subsection (3) for a family of 3, (61) $\underline{64}$ shall be added for each additional member.

WSR 78-08-017 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance) [Filed July 11, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to net cash income—determination—board, room rental, board and room, amending WAC 388-28-530.

It is the intention of the Department to file these rules on an emergency basis prior to the hearing.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan
Executive Assistant
Department of Social and Health Services
Mail Stop OB-44 C
Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, September 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 13, 1978, and/or orally at 10:00 a.m., Wednesday, September 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: July 11, 1978
By: David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1234, filed 8/31/77)

WAC 388-28-530 NET CASH INCOME—BOARD, ROOM RENTAL, BOARD AND ROOM. (1) The net income from operating a rooming, boarding, or boarding and rooming home shall be computed as follows effective July 1, ((1977)) 1978:

(a) Boarder - The board payment received minus \$((52)) 54,

(b) Roomer - The room rental received minus \$5,

(c) Boarder and roomer - The board and room payment received minus \$((57)) 59.

(2) If a recipient is engaged in the management and operation of a rooming, boarding or boarding and rooming home, the net income as computed in accordance with subsection (1) is considered earned income to that recipient.

WSR 78-08-018 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES.

(Institutions)
[Filed July 11, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services, intends to adopt, amend, or repeal rules relating to adult correctional institutions—classification of residents—administrative segregation, amending chapter 275-82 WAC.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant Department of Social and Health Services Mail Stop OB-44 C Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, September 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 72.01.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 13, 1978, and/or orally at 10:00 a.m., Wednesday, September 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: July 11, 1978
By: David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1217, filed 6/15/77)

WAC 275-82-015 NOTICE OF MEETING. (1) When the superintendent is considering the administrative segregation of a resident, the resident shall be notified in writing concerning:

(a) the allegations which gave rise to such consideration;

(b) the fact that a meeting with the classification committee will be held to determine whether he should be segregated;

(c) the date, time and place of the meeting;

(d) the fact that at the meeting the resident may present ((written statements)) witnesses and documentary evidence to the committee ((and)) subject to the limitations set out in WAC 275-82-025(6). The resident may ask questions of people present at the meeting. The committee may, in its discretion, ask residents, staff, or other persons to appear and present information at the meeting;

(e) the fact that he may be represented as provided in WAC 275-82-020;

(f) in the event he is alleged to have been involved in an incident for which he could face criminal charges, the fact that he has a right to remain silent and that anything he says may be used against him in a criminal prosecution.

(2) Notice shall be provided the resident not less than twenty-four hours in advance of the meeting.

(3) If the superintendent has reasonable cause to believe the resident is in immediate danger from others or is immediately dangerous to himself or to others or the security of the institution, he may place the resident in administrative segregation without a prior meeting. In such event the meeting shall be held within three working days after the

resident is placed in segregation except that the time may be extended for an additional three working days. The superintendent shall notify the resident in writing that the meeting has been postponed and the reasons for the postponement. Any further postponements must be authorized in writing in advance by the director of the division of adult corrections or his designee. Such authorizations may be approved verbally by the director or his designee if necessary, with subsequent confirmation in writing.

AMENDATORY SECTION (Amending Order 1217, filed 6/15/77)

WAC 275-82-025 CONDUCT OF MEETING. (1) The meeting shall be held by the classification committee or by a subcommittee thereof of not less than three members. Any member who had direct involvement in the incident which gave rise to the meeting shall disqualify himself.

(2) The resident shall be present at all stages of the meeting except during consideration of the decision and during discussions involving information from anonymous sources in accordance with subsection

(5).

(3) The resident may use his own recording equipment to record the meeting. The tape may be used for the purpose of appeal provided it has been given to and stored by the classification committee between the time of the recording and the appeal.

(4) A record of the meeting shall be kept which clearly indicates

what information was presented.

- (5) The decision to place someone in administrative segregation may be based on information from a resident whose identification is not given to the resident at the administrative segregation meeting. Such information may be given the administrative segregation committee through a written statement from the resident source or through statements from staff members who may give a statement in writing if the staff member is not able, for good cause, to attend the administrative segregation meeting.
- (a) The contents of any information from an anonymous source shall be shared with the resident at the meeting to the extent that this may be done without endangering the source of the information.
- (b) When considering information from an anonymous source, the name of the source and all details of such information shall be given to the administrative segregation committee out of the presence of the resident unless the nondisclosure of the name and/or details has been previously approved by a staff member of the rank of captain or above and to whom such name and information has been disclosed. Such approval shall reflect the approving official's verification that the source and information are reliable and are properly considered in deciding whether to place an individual in administrative segregation.
- (6) The resident may present witnesses and documentary evidence unless the committee determines that permitting such evidence will be unduly hazardous to institutional safety or correctional goals and/or the information desired to be presented is deemed to be irrelevant, immaterial, unnecessarily duplicative of other information before the committee or found otherwise to be unnecessary to the adequate presentation of the resident's case.

AMENDATORY SECTION (Amending Order 1217, filed 6/15/77)

WAC 275-82-030 DECISION. (1) The committee shall reach a decision based on information presented at the meeting.

(2) The committee shall provide the resident with a written decision stating the basis for the decision and the evidence relied on by the committee.

WSR 78-08-019 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Health)

[Filed July 11, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal

rules relating to waterworks operator certification, chapter 248-55 WAC.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan
Executive Assistant
Department of Social and Health Services
Mail Stop OB-44C
Olympia, WA 98504;

that such agency will at 2:00 p.m., Wednesday, September 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto:

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 70.119.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 13, 1978, and/or orally at 2:00 p.m., Wednesday, September 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: July 11, 1978
By: David Hogan
Executive Assistant

Chapter 248-55 WAC WATERWORKS OPERATOR CERTIFICATION

Purpose.
Definitions.
Applicability.
Certification board.
Classification schedule for public water systems.
Minimum certification requirements for public water systems.
Minimum education and experience requirements for water works operators.
Examination.
Certification without examination.
Fees.
Renewal of certificates.
Revocation.
Violations.

NEW SECTION

WAC 248-55-010 PURPOSE. Pursuant to the provisions of chapter 70.119 RCW, the regulations set forth in this chapter are adopted for the protection of public health through the establishment of minimum requirements and standards by which operators in direct responsible charge of public water systems are examined and certified as to their competency. Certification under this act is available to all operators who can meet the minimum qualifications of a given classification. All operators are encouraged to be certified to their highest degree of competency based on their responsibilities and their particular specialties within the field.

NEW SECTION

WAC 248-55-020 DEFINITIONS. (1) "Board" - The board established pursuant to RCW 70.95B.070 which shall be known as the water and waste water operator certification board of examiners.

(2) "Continuing Education Unit (CEU)" - A nationally recognized unit of measurement similar to college credits. One CEU is awarded for every ten contact lecture hours of participation in an organized

continuing education experience, under responsible sponsorship, capable direction and qualified instruction. One CEU will also be awarded for twenty contact laboratory hours of approved training.

(3) "Department" - The department of social and health services.
(4) "Direct Responsible Charge (DRC)" - DRC experience is defined as active daily, on-site charge and performance of the operation of a public water system, purification plant, distribution system, or a major segment of a distribution system or purification plant.

(5) "Distribution System" - That portion of a public water system not included within the scope of the purification plant. In most cases this shall include source, storage, and distribution network facilities and associated unit processes which are not part of the purification plant.

(6) "Governing Body" - The policy setting body or individual(s) responsible for the supervision and management of a public water

system.

(7) "Nationally Recognized Association of Certification Authorities" - An organization which serves as an information center for certification activities, recommends minimum standards and guidelines for classification of potable water treatment plants, water distribution systems and waste water facilities and certification of operators, facilitates reciprocity between state programs and assists authorities in establishing new certification programs and updating existing ones.

(8) "Owner" - The policy setting body or individual(s) responsible for the supervision and management of a public water system.

- (9) "Public Water System" Any system or water supply intended or used for human consumption or other domestic uses, including source, treatment, storage, transmission and distribution facilities where water is furnished to any community, collection or number of individuals, or is made available to the public for human consumption or domestic use, but excluding water systems serving one single family
- (10) "Purification plant" That portion of a public water system which treats or improves the physical, chemical or bacteriological quality of the system's water to bring the water into compliance with state board of health standards. Unit processes installed as necessary to perform water filtration, ion exchange, electrodialysis, reverse osmosis, or iron and manganese removal shall be included within the scope of the term purification plant. Unit processes installed as necessary to allow in-line fluoridation, in-line chlorination, or chemical addition to inhibit corrosion shall not be included within the scope of the term purification plant.

(11) "Secretary" - The secretary of the department of social and health services.

(12) "Service" - A connection between the purveyor's distribution system and the customer's system. If the customer's system distributes to more than one single family dwelling, individual dwelling unit, site, or lot, then each single family dwelling, individual dwelling unit, site, or lot shall be considered as one service connection.

(13) "Voluntary Certification Program" - Operators not required to be certified under the mandatory certification program are encouraged to seek certification under the voluntary certification program which shall be administered by the board and shall be identical to the man-

datory certification program.

(14) "Water Filtration System" - A series of unit processes installed with the intent of reducing the quantity and quality of suspended and dissolved solids such that the treated water meets the quality standards set forth in the rules and regulations of the state board of health regarding public water systems (chapter 248-54 WAC).

NEW SECTION

WAC 248-55-030 APPLICABILITY. (1) After January 1, 1979. all public water systems are required to have a certified operator if the system serves either:

(a) One hundred services at any one time; or

- (b) Twenty-five or more persons which are supplied from a stream, lake or other surface water supply source and which are required by law to use a water filtration system.
- (2) Certified personnel shall be in direct responsible charge of the active daily technical direction and supervision of the following portions of affected public water systems:

(a) The entire public water system; or

- (b) A major segment of a public water system necessary for monitoring or improving the quality of water provided separate individuals are assigned decision-making authority; or
 - (c) Shift supervisors, if shift work is practiced.

NEW SECTION

WAC 248-55-040 CERTIFICATION BOARD. (1) The Water and Wastewater Operator Certification Board of Examiners established pursuant to RCW 70.95B.070 shall oversee the administration of the certification program.

(2) The board shall be composed of:

(a) One member from the Department of Ecology.

- (b) One member from the Department of Social and Health Services.
- (c) One member who holds the position of city manager, city engineer, director of public works, superintendent of utilities, or an equivalent position and employs a certified operator.

(d) Two members who are certified water operators holding a certif-

icate of at least the second highest operator classification.

(e) Two members who are certified wastewater operators holding a certificate of at least the second highest classification.

(3) Duties of the board shall include:

- (a) Recommend to the secretary classifications of distribution systems and purification plants and maintain records thereof;
- (b) Develop operator qualification standards consistent with the distribution system and purification plant classification system and examine the qualifications of applicants for certification;
- (c) Assist in the development of rules and regulations; prepare, administer and evaluate examinations of operator competency as required by law; and recommend the issuance or revocation of certificates;
- (4) To assist in the administration of this chapter, the representative from the department on the board shall serve as board secretary.

NEW SECTION

ITEM

Mixing, flocculation, settling, or

Filtration

Upflow solids contact

WAC 248-55-050 CLASSIFICATION SCHEDULE FOR PUBLIC WATER SYSTEMS. The secretary shall use classification procedures recommended by a nationally recognized association of certification to classify purification plants and distribution systems.

(1) Purification plants are classified by the secretary in four groups:

(a)	Classification	Total Points Assigne
	Group 1	30 and less
	Group 2	31 to 55
	Group 3	56 to 75
	Group 4	76 and greater

(b) Points are assigned to every item in Table 1 that applies to the purification plant being evaluated.

TABLE 1 PURIFICATION PLANT CLASSIFICATION

POINTS

4 or 8

6

ASSIGNED

	ASSIC	INED
SIZE		
Maximum Population Served (Peak Day)	1 point per 10,000 or part Maximum of 10 points	1–10
Design Flow (Average Day) Or Peak Month's Production (Average Day), Whichever Is Larger	I point per MGD or part Maximum of 10 Points	1–10
WATER SUPPLY SOURCE		
Groundwater Surface Water Average Raw Water Quality (Good to Poor)	See Table 2 for Variable Point Guide	3 5 0–10
COAGULATION, SEDIMEN	TATION, FILTRATION	
Presettling Addition of Coagulant		4 4

Lab

ITEM	POINTS ASSIGNED	
CHEMICAL PRECIPITATION SOFTENING		
Presettling	4	
Addition of chemicals/coagulants Mixing, flocculation,	4	
settling, or 4	4 or 8	
Upflow solids contact 8 Recarbonation Filtration	2 6	
ION EXCHANGE SOFTENING		
Ion Exchange Softening	10	
IRON OR IRON/MN REMOVAL		
Chemical Oxidation by KMn04	4	
Chemical Oxidation by Cl ₂ Aeration	4	
Filtration	6	
ADJUSTMENT – Points assigned only for specific chemical treatment in addition to those listed above or where it is the only treatment provided.		
Chemical Addition for Stabilization (polyphosphate, soda,	4	
lime, pH adjustment, etc.) Taste and Odor or Color Control (KMn0 ₄ , activated carbon, etc.)	8	
ADVANCED TREATMENT (demineralization)	15	
WASTE HANDLING		
In plant treatment of sludge	6	
FLUORIDATION	5	
DISINFECTION		
Chlorination or Comparable On-site Generation of Disinfectant	5 5	
LABORATORY CONTROL BY PLANT PERSONNI	EL (See Table 2	2

LABORATORY CONTROL BY PLANT PERSONNEL (See Table 2 for Variable Point Guide)

Bacteriological	3.10
(Complexity)	3–10
Chemical/Physical	
(Complexity)	I-10
Total	

- Each category should be considered a major unit process and points assigned
 only once for each unit or combined unit, i.e. for iron removal using oxidation
 and precipitate removal by filtration, only add ten points for iron removal and
 nothing for filtration.
 - (c) Table 2 is to be used as a supplement to Table 1.

TABLE 2 PURIFICATION PLANT VARIABLE POINT GUIDE

Variation in Raw Water Quality	0 - 10
The key concept is the variation or change in the quality water source. Point values are:	of the ra
Little or no variation; no treatment provided except chle tion.	0
Raw water quality (other than turbidity) varies enough quire treatment changes approximately 10 percent time.	of the
Raw water quality (turbidity) varies severely enough to re pronounced and/or very frequent treatment change	s. 5
Raw water quality subject to periodic serious industrial pollution.	waste 10

oratory Control by Plant Personnel Bacteriological/biological (complexity) - The key concept is to credit bacti/bio lab work done on-site by plant personnel. Point values are:) – 10
Lab work done outside the plant. Membrane filter procedures. Use of fermentation tubes or any dilution method; fecal form determination. Biological identification. Virus studies or similarly complex work conducted on-site	5
Chemical/physical (complexity) – The key concept is to credit chemical/physical lab work done on-site by plant personnel. Point values are:) – 10
Lab work done outside the plant. Push button or colorimetric methods for simple tests suc chlorine residual, pH, -up to Additional procedures such as titration, jar tests, alkali hardness-up to More advanced determinations such as numerous inorgan up to Highly sophisticated instrumentation such as atomic abstion and gas chromatography.	3 nity, 5 nics– 7

(2) Distribution systems are classified by the secretary in four groups, according to the population served. The classification schedule is as follows:

Classification	Population Served*
Group 1	less than 1500
Group 2	1501 – 15,000
Group 3	15,001 - 50,000
Group 4	greater than 50,000

*If the population served is not known; then apply this formula: Number of Service Connections x 3.1 = Population Served

NEW SECTION

WAC 248-55-060 MINIMUM CERTIFICATION REQUIRE-MENTS FOR PUBLIC WATER SYSTEMS. (1) Public water systems shall be classified by the secretary in accordance with the procedures in WAC 248-55-050. Accordingly, an operator certified at the appropriate level shall be in direct responsible charge of the active daily technical direction and supervision of the following portions of the public water system.

(a) Purification Plant – A Water Treatment Plant Operator (WTPO) shall be in direct responsible charge of that portion of any public water system which is classified as a purification plant and which meets the conditions of WAC 248-55-030(1)(a) or 248-55-030(1)(b). The WTPO shall be responsible for the administration and operation of the purification plant and shall be certified at a level determined by the complexity of the purification plant as determined by a point rating system. (See WAC 248-55-050(1) for point rating system details).

(b) Water Distribution System – A Water Distribution Manager (WDM) shall be in direct responsible charge of all public water systems which meet the conditions of WAC 248-55-030(1)(a) or 248-55-030(1)(b). The WDM shall be responsible for the administration and operation of the entire public water system or a major segment of a public water system necessary for monitoring or improving the quality of water and shall be certified at a level determined by the population served. (See WAC 248-55-050(2) for rating details).

(c) Distribution System Specialties – A third classification of operator certification, Water Distribution Specialist (WDS), shall be available to operators on a voluntary basis. Any person who is engaged in a specialized phase of waterworks operation such as main repair, meter repair, pump maintenance and operation, service installation, chlorination process operation, or watershed control but is not working in a direct responsible charge capacity is encouraged to become certified as a water distribution specialist.

(2) If the public water system normally practices shift work; then a certified operator shall be in direct responsible charge for each operating shift.

(3) The same individual may be certified as a WDM, WTPO, or WDS.

NEW SECTION

WAC 248-55-070 MINIMUM EDUCATION AND EXPERI-ENCE REQUIREMENTS FOR WATER WORKS OPERATORS. (1) Minimum education and experience requirements for the following classifications and grades of operators shall be:

Table 3 MINIMUM EDUCATION AND EXPERIENCE REQUIREMENTS

EDUCATION/OPERATING EXPERIENCE(DRC)

•	OIT *	I	II	III	īV
Water Distribution Manager (WDM)	12/3 months	12/1	12/3	14/4(2)	16/4(2)
Water Treatment Plant Operator (WTPO)	12/3 months	12/1	12/3	14/4(2)	16/4(2)
Water Distribution Specialist (WDS)	12/3 months	12/1	12/3	14/4(2)	16/4(2)
Cross-Connection Control Specialist (CC)	NA	**	***	NA	NA

(Education and experience requirements are expressed in years unless otherwise noted.)

*Operator in Training experience can be fulfilled by 3 months experience or 30 hours of relevant classroom training (3 CEU)

**Experience required is a special 30-hour Backflow Prevention Device Testers class that includes hands-on-training, lectures, and a field trip

***Experience required is training as a cross-connection control instructor and certification as a CCI

(2) Substitution – The board may allow substitutions of experience when short of formal education, or vice versa.

(3) Policy – A listing of minimum requirements and responsibilities for each classification and grade including rules regarding substitutions shall be adopted by the board and published by the department.

NEW SECTION

WAC 248-55-080 EXAMINATION. (1) The board shall prepare examinations to be used in determining the competency of operators.

(2) Periodic review and revision of the examinations shall be undertaken as necessary to ensure validity and applicability.

(3) Certificates of competency shall be issued to applicants who successfully pass the examination for the classification and grade for which they were eligible.

(4) Applicants who fail to pass an examination may repeat the same examination at no additional fee at the next regularly scheduled examination.

(5) Examinations shall be held at least three times annually at convenient places and times as set by the board. Advance announcements of places and times shall be published by the department.

(6) The board shall forward its recommendations for certification to the secretary.

NEW SECTION

WAC 248-55-090 CERTIFICATION WITHOUT EXAMINA-TION. (1) The secretary shall issue certificates without examination under the following conditions:

(a) Certificates, in appropriate classifications, shall be issued to operators who on January 1, 1978, held certificates of competency attained through the Voluntary Certification Program sponsored jointly by the Pacific Northwest Section of the American Water Works Association and the department.

(b) Certificates shall be issued to persons certified by a governing body or owner of a public water system to have been the operators of a

purification plant or distribution system on January 1, 1978 but only to those who are required to be certified in accordance with WAC 248-55-030. A certificate so issued shall be conditioned to be valid only for operating the existing plant or system.

(c) A nonrenewable certificate, temporary in nature, may be issued to an operator for a period not to exceed twelve months to fill a vacated position required to have a certified operator. Only one such certificate may be issued subsequent to each instance of vacation of any such

position.

(d) The board may, at its discretion, waive examinations for applicants holding certificates or licenses issued by other states or provinces having equivalent standards as determined by the board, and issue a class of certificate in accordance with the requirements contained herein.

(2) Certificates without examination shall be issued only upon receipt of a completed application form and fees as required in this chapter.

NEW SECTION

WAC 248-55-100 FEES. (1) Applications will be accepted for processing only when accompanied by an application fee of ten dollars.

(2) Except as provided under WAC 248-55-080(4), applications for reexamination will be accepted for processing only when accompanied by an application fee of ten dollars.

(3) Applications for certificate renewals will be accepted for processing only when accompanied by a renewal fee of five dollars.

NEW SECTION

WAC 248-55-110 RENEWAL OF CERTIFICATES. (1) The terms for all certificates shall be for one year from the date of issuance. Every certificate shall be renewed annually upon the payment of a five dollar renewal fee and satisfactory evidence presented to the board that the operator has demonstrated continued professional growth in the field. The accumulation of three college credits or Continuing Education Units every three years is considered satisfactory evidence of professional growth.

(2) The secretary shall notify operators who fail to renew their certificate before the end of the certificate year that their certificates are temporarily valid for two months following the end of the certificate year. Certificates not renewed during the two month period shall become invalid. The secretary shall notify the holders of invalid certificates.

cates with a written notice.

(3) An operator who has failed to renew the certificate pursuant to the provisions of this section may reapply for certification. The board may require the operator to meet the requirements established for new applicants.

NEW SECTION

WAC 248-55-120 REVOCATION. (1) The secretary may, with the recommendation of the board and after hearing before same, revoke a certificate if:

(a) It is found to have been obtained by fraud or deceit;

(b) The operator demonstrates gross negligence in the operation of a water purification plant or a public water system's operation or major segment thereof; or

(c) The operator violates the requirements of this chapter or any

lawful rules, order or regulation of the secretary.

(2) No person whose certificate has been revoked under this section shall be eligible for a certificate for one year from the effective date of the final order of revocation. Any such person who reapplies for recertification shall meet all the requirements established for new applications.

NEW SECTION

WAC 248-55-130 VIOLATIONS. (1) Following thirty days written notice by the secretary violation of WAC 248-55-030 is a misdemeanor. Each day that a public water system operates in violation of WAC 248-55-030 constitutes a separate offense. Upon conviction, violators are subject to fines not exceeding one hundred dollars for each such offense.

(2) In the case of fraud, deceit, or gross negligence under WAC 248-55-120(1)(a) and (b), no revocation citation or change shall be made until proper written notice of violation and reasonable opportunity for correction has been made.

WSR 78-08-020 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance) [Filed July 11, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to food assistance programs, amending chapter 388-54 WAC.

It is the intention of the Department to file these rules on an emergency basis effective July 1, 1978.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive assistant Department of Social and Health Services Mail Stop OB-44 C Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, September 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.04.510.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 13, 1978, and/or orally at 10:00 a.m., Wednesday, September 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: July 11, 1978

By: David Hogan

Executive Assistant

AMENDATORY SECTION (Amending Order 1303, filed 6/2/78)

WAC 388-54-470 MONTHLY NET INCOME. (1) For nonassistance households the monthly net food stamp income used to determine eligibility and basis of issuance shall be computed by adding all income and then subtracting all appropriate exclusions and deductions.

(2) The monthly net income used for basis of issuance of food stamps to public assistance households shall be computed by adding all income and then subtracting all appropriate exclusions and deductions.

(3) The combined monthly net food stamp income of all members of nonassistance households shall not exceed the following standards effective ((January)) July 1, 1978.

Household Size	Maximum Allowable Income
1	\$((262.00)) <u>277.00</u>
2	((344.00)) 363.00
3	$((460.00))$ $\overline{480.00}$
4	((580.00)) 607.00
5	((687.00)) 720.00
6	((827.00)) 867.00
7	((913.00)) <u>953.00</u>
8	((1047.00)) 1093.00
For each	
additional	
member add	((133.00)) <u>140.00</u>

- (4) Ineligible aliens, unless excluded as roomers, boarders or attendants, shall have their total income minus a deduction for a one-person household coupon allotment, included as income to the household, unless the household can demonstrate that the income is not accessible for their needs. Ineligible aliens shall be treated as household members in determining income exclusions and deductions, but shall not be counted in the household size for determining the income eligibility standard for the household or its basis of issuance.
- (5) The income of an individual determined ineligible due to tax dependency shall not be considered available to other household members in establishing the household's eligibility and basis of issuance, nor shall he be counted in determining the size of the household. (See WAC 388-54-442)

AMENDATORY SECTION (Amending Order 1266, filed 1/19/78)

WAC 388-54-480 INCOME EXCLUSIONS. The following shall not be considered as income to the household:

- (1) Income received as compensation for services as an employee or income from self-employment by a child residing in the household who is under ((18)) eighteen years of age and attending at least half time (as defined by the institution), a kindergarten or preschool, a grade school, high school, vocational school, technical school, training program college or university. This exclusion shall not apply if the student is an emancipated minor or living alone as he no longer can be considered a child residing in the household.
- (2) Payments received under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970:
- (a) Payments to persons displaced as a result of the acquisition of real property,
- (b) Relocation payments to a displaced homeowner toward the purchase of a replacement dwelling provided the homeowner purchases and occupies a dwelling within one year following displacement,
- (c) Replacement housing payments to displaced persons not eligible for a homeowner's payment.
- (3) Payments made under the Domestic Volunteer Services Act of 1973 to volunteers participating in the ACTION program.
- (4) Income which is received too infrequently or irregularly to be reasonably anticipated as available during a three-month period, provided such infrequent or irregular income of all household members shall not exceed ((\$30)) thirty dollars in a three-month period.

 (5) Any gain or benefit which is not in money, such as produce from
- (5) Any gain or benefit which is not in money, such as produce from a garden etc., except for shelter from an employer as described in WAC 388-54-475(1)(o).
- (6) Payments in money for medical costs made on behalf of the household by a person other than a member of the household.
- (7) All loans, except loans on which repayment is deferred until completion of the applicant's education.
- (8) All property conveyed to Indian tribes and all receipts therefrom under Public Law 94–114, Section 6, shall not be considered as income nor resources.
- (9) Monies received from insurance settlements, sale of property (except property related to self-employment as previously provided for), cash prizes, awards, and gifts (except those for support, maintenance, or the expense of education), inheritances, retroactive lumpsum social security and railroad retirement pension payments, income tax refunds, and similar nonrecurring lump-sum payments.
- (10) Payments received under the women, infants and children (WIC) program.
- (11) Payments which are reimbursements for expenses incurred in performing volunteer services for nonhousehold members.
- (12) Any payments received by Alaska Natives under the terms of the Alaska Native Claims Settlement Act.
- (13) Payments made to the representative payee who acts on behalf of beneficiaries who are unable to manage the payments. Only those representative payees who demonstrate the following conditions to the eligibility worker's satisfaction shall have the representative payments not included as income to their household:
- (a) the beneficiary is not a member of the payee's household. (If the payee is a member of the beneficiary's household then the payment shall be counted once to the household).
- (b) The payee uses the payment only for the beneficiary's care and
- (c) The payee cannot use the payment for any purpose other than the care of the beneficiary without legal liability.
- (d) Representative payments shall be included, however, as income to the beneficiary's household.

- (14) The thirty dollar weekly incentive allowance received only by CETA participants receiving public assistance or whose needs or income are taken into account in determining the amount of public assistance payments to others. This subsection is effective retroactive to July 1, 1977((, due to a court decision)).
- (15) Earnings received by any youth under The Youth Employment Demonstration Project of 1977 (CETA), as follows:

(a) Youth incentive entitlement pilot projects;

(b) Youth community conservation and improvement projects;

(c) Youth employment and training programs.

AMENDATORY SECTION (Amending Order 1303, filed 6/2/78)

WAC 388-54-485 INCOME DEDUCTIONS. (1) Household expenses shall be deducted in the order listed in this section. In determining monthly food stamp income only the expenses listed shall be deducted. No exceptions shall be approved. The household must pay the expense or anticipate payment during the certification period in which the deduction is claimed. The expenses are deductible even if payment is made from resources. If payments are made by a nonhousehold member on behalf of the household, the expenses are deductible if the payments have been counted as income to the household.

- (2) Deductible work expense
- (a) Nonassistance household: Ten percent of gross income not to exceed \$30 per household, from:

(i) Compensation for services performed as an employee; or

- (ii) A training allowance to an individual working and learning a trade at a work site.
- (iii) Any income attributable to the furnishing of housing to a household by an employer. Any vendor payments made on behalf of an employee by an employer or a trainee by the training program or sponsor.
- (b) Assistance household: The public assistance standard deduction for transportation and clothing. (See 388-28-515(4)(b) and (4)(d)).
- (3) Mandatory deductions from earned income which are not elective at the option of the employee such as local, state, and federal income taxes, FICA taxes, mandatory retirement payments, and union dues. Garnishments may be deducted only when they are made for items which would be deductible if paid when incurred, for example, medical costs of more than \$10 a month.
- (4) The total payments for medical expenses; exclusive of special diets, when the costs exceed ((\$\frac{\$\frac{10}{6}}{0}\)) ten dollars per household.
- (a) Medical expenses may include actual payments for physician and dental services, hospitalization, nursing care in or out of the home, prescription drugs, prescribed medical services, health insurance, medicare payments, the care and feeding of a seeing eye dog, and reasonable medically-related transportation costs.
- (b) The amount to be deducted for an attendant or housekeeper who is necessary for medical care reasons shall be the amount actually paid to the attendant or housekeeper. In addition, for a household which furnishes the attendant or housekeeper the majority of his meals, a deduction equal to the value of the one-person monthly coupon allotment shall be made.
- (5) Payments for the care of a child or other persons when necessary for a household member to accept or continue employment, training or education.
- (a) The amount to be deducted for an attendant or housekeeper who is necessary for child care reasons shall be the amount actually paid to the attendant or housekeeper. In addition, for a household which furnishes the attendant or housekeeper the majority of his meals, a deduction equal to the one-person monthly coupon allotment shall be made.
- (6) Tuition and mandatory fees for education, including such expenses which are covered by scholarships, educational grants, loans, fellowships and veterans' educational benefits. No deduction shall be made for any other educational expenses, such as books, school supplies, meals and transportation.
- (7) Unusual expenses incurred due to an individual household's disaster or casualty losses which could not be reasonably anticipated by the household. Unusual expenses shall be determined in accordance with the following criteria.
- (a) The expense is essential to the continued existence of the household and is necessary to replace or repair items of property damaged or

lost through vandalism, fire, theft, flood, tropical storms, or by the elements.

- (b) The expense allowed is for only that portion which exceeds the amount which is paid either in goods or money by a private or public charitable organization.
- (c) The expense is the result of funeral costs which are not reimbursable through social security, veterans' benefits, or the state government.
- (d) The expense allowed will be that paid or anticipated to be paid during the certification period, even though part may be reimbursable through insurance. Insurance reimbursement payments will be treated as lump-sum payments when received, in accordance with WAC 388-54-465.
- (e) The deduction is initially approved by the certification worker's immediate supervisor.
- (f) The expense is not for costs of repair or replacement of property, clothing, etc., which becomes necessary due to mechanical failure, wear and tear, obsolescence, or any other occurrence not directly connected with an individual household disaster.
- (g) The expense is allowed for theft or casualty loss of cash, through fire, flood or similar occurrence. In case of theft, the household shall submit an affidavit to the local office including time, date and amount of theft.
- (i) If a household suffers a theft or casualty loss of cash prior to purchase of its food stamp allotment, the purchase shall be recomputed by deducting the amount of loss from the household's income. Losses suffered subsequent to purchase shall not be deductible.

(ii) A cash loss resulting from negligence (failure to act in a responsible manner) on the part of the household is not deductible.

(8) Court-ordered support and alimony payments.

- (9) Shelter costs in excess of ((30)) thirty percent of the household's income after the above deductions.
- (a) "Shelter costs" mean rent or mortgage payment plus taxes, insurance and assessments, and utility costs such as heat, cooking fuel, electricity, water, garbage, sewage disposal and basic service fee for one telephone.
- (b) The actual rent or purchase payment plus taxes, insurance and assessments (if not included in the payment) shall be used to compute shelter costs.
- (c) Standardized amounts shall be used to compute the shelter costs for utilities such as heat, cooking fuel, electricity, water, garbage, sewage disposal and telephone and shall be, effective July 1, 1977:

Persons in Household	Standard
1	\$ 66.25
2	70.70
3	76.10
4	82.05
5	86.65
6	90.85
7	95.15
8	97.60
9	100.90
10 or more	105.40

- (d) If a household requests and can verify that its utility bills are higher than the standards and can reasonably be predicted to continue at a higher rate for the certification period, the actual utility costs must be used. These costs will be calculated according to bills the household anticipates receiving during the certification period, by using the most recent bills actually received or other information available.
- (i) The allowance for telephone service is limited to the basic fee for one telephone plus tax on the basic fee.
- (ii) A household certified for more than one month shall be allowed to switch to or from the standard during its certification period or to the standard if the standard is updated during its certification period.
- (e) Included as part of the household's utility allowance will be any payment, during a certification period, of a utility bill received by the household prior to January 1, 1978, if:
- (i) The bill represents an allowable utility expense which was not used in any previous shelter allowance computations; and
- (ii) The expense has been paid by the household or the household intends to pay it and has sufficient income and/or resources available.

AMENDATORY SECTION (Amending Order 1303, filed 6/2/78)

WAC 388-54-540 BASIS OF COUPON ISSUANCE. (1) The department shall assign each eligible household a purchase requirement and total coupon allotment according to the following table. These purchase requirements are effective ((January)) July 1, 1978.

MONTHLY COUPON ALLOTMENT BY HOUSEHOLD SIZE Number of Persons

	1	2	3	4	5	6	7	8
	\$52	\$96	\$138	\$174	\$206	\$248	\$274	\$314
Monthly	_							
Net	N	10nthly	purcha	se requir	ement			
Income \$ 0- 19.99	0	0	0	0	0	0	0	0
20- 29.99	ĭ	ĭ	Ŏ	ō	Ŏ	Ö	Ō	Ō
30- 39.99	4	4	4	4	5	5	5	5
40- 49.99	6	7	7	7	. 8	. 8	. 8	. 8
50- 59.99	8	10 12	10 13	10 13	11 14	11 14	12 15	12 16
60- 69.99 70- 79.99	10 12	15	16	16	17	17	18	19
80- 89.99	14	18	19	19	20	21	21	22
90- 99.99	16	21	21	22	23	24	25	26
100-109.99	18	23	24	25	26	27	28	29
110-119.99 120-129.99	21 24	26 29	27 30	28 31	29 33	31 34	32 35	33 36
130-139.99	27	32	33	34	36	37	38	39
140-149.99	30	35	36	37	39	40	41	42
150-169.99	33	38	40	41	42	43	44	45
170-189.99	39	44	46	47	48	49	50	51
190-209.99	((40)) 42	50	52	53	54	55	56	57
210-229.99	((42)) 44	56	58	59	60	61	62	63
230-249.99	((42)) 44	62	64	65	66	67	68	69
250-269.99	((42)) 44	68	70	71	72	73	74	75
270-289.99	44	74	76	77	78	79	80	81
290-309.99	_	((76))	82	83	84	85	86	87
310-329.99		((76)) 80	88	89	90	91	92	93
330-359.99		((76)) 80	94	95	96	97	98	99
360-389.99		80	103	104	105	106	107	108
390-419.99			112	113	114	115	116	117
420-449.99			((120))	122	123	124	125	126
450-479.99			((120)) 126	131	132	133	134	135
480-509.99			126	140	141	142	143	144
510-539.99				149	150	151	152	153
540-569.99				((150))	159	160	161	162
570-599.99				158 ((150)) 158	168	169	170	171
600-629.99				158	177	178	179	180
630-659.99					((178))	187	188	189
660-689.99					186 ((178))	196	197	198
000-007.77					188	170	177	170
690-719.99					188	205	206	207
720-749.99					<u>188</u>	214	215	216
750-779.99						((216))	224	225
780–809.99						223 ((216)) 228	233	234
810-839.99						((216)) 228	((238)) 242	243
840-869.99							((238)) 250	252
870-899.99							((238)) 250	261
900-929.99							((238)) 250	270
930-959.99								((274)) <u>279</u>
960-989.99								((274)) 288
990-1,019.99								((274)) <u>288</u>
1,020-1,049.99								((274)) 288
1,050-1,109.99								288

(2) The following formula shall be used for the issuance of coupons to households of more than eight persons.

(a) For each person in excess of eight, \$40.00 shall be added to the monthly coupon allotment for an eight-person household.

(b) The purchase requirement for an eight-person household shall be used for households with incomes of \$929.99 or less per month.

(c) For households with monthly incomes of \$930 or more – for each thirty dollars of monthly income (or portion thereof) over \$929.99 nine dollars shall be added to the monthly purchase requirement for an eight-person household with income of \$929.99.

(d) The maximum monthly purchase requirement for households of more than eight persons shall be determined by adding \$36 for each person over eight to the maximum purchase requirement for an eight-

person household.

(3) The department shall offer an eligible household a monthly or semimonthly issuance, whichever is best geared to the frequency of its receipt of income.

Done Mand & WSR 78-08-021

Thadole Adopted Rules

DEPARTMENT OF ECOLOGY

[Order DE 78-14—Filed July 12, 1978]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to the identification, transport and disposal of hazardous wastes. The amendment consists of a deferral of the manifest requirements for 13 months, amending chapter 173-302 WAC—Hazardous Waste Regulation.

This action is taken pursuant to Notice No. WSR 78-06-127 filed with the code reviser on 6/7/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 70.105.020 and 70.105.030 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 11, 1978.

By Elmer C. Vogel Deputy Director

NEW SECTION

WAC 173-302-165 DISPOSAL PROHIBITED. No person shall dispose of designated extremely hazardous waste at any disposal site in the state other than the disposal site established and approved by the department under chapter 70.105 RCW. No person is prohibited from the treatment of such waste, as set out in WAC 173-302-350 through 173-302-380, or from out-of-state shipment of such waste as a means of complying with this section.

AMENDATORY SECTION (Amending Order DE 77-34, filed 12/29/77)

WAC 173-302-390 COMPLIANCE. All generators, transporters, treaters, and the operator shall comply

with chapter 173-302 WAC according to the following time schedules:

(a) WAC 173-302-010 through 173-302-060 - upon the effective date of this regulation. This includes:

WAC 173-302-010 - Purpose WAC 173-302-020 - Applicability WAC 173-302-030 - Abbreviations WAC 173-302-040 - Definitions WAC 173-302-050 - Conference

WAC 173-302-060 - Imminent Hazard

(b) WAC 173-302-070 through ((173-302-160, and 173-302-180(8), 173-302-210(1)(b) and (2))) 173-302-165, and 173-302-350 ((through 173-302-380)), $\overline{173-302}$ -360, 173-302-380(1) and (3) - on August 1, 1978. This includes:

WAC 173-302-070 - Designation of EHW WAC 173-302-080 - Categorization WAC 173-302-090 - Criteria for DW

WAC 173-302-100 - Criteria for EHW

WAC 173-302-110 - Hazardous Due to Toxicity Man and Wildlife

WAC 173-302-120 - Hazardous Due to Quantity

WAC 173-302-130 - Hazardous Due to Persistence and Potential Hazard

WAC 173-302-140 - Containers

WAC 173-302-150 - Division and Dilution and Accumulation

WAC ((173-201-160 [173-302-160])) 173-302-160 Appeal of Designation

((WAC-173-302-180(8) - Manifest Procedures for Out-of-state Shipments and for Treaters

WAC-173-302-210(1)(b) and (2) - Transporter Applicability for Waste Shipped Out-of-state and to Treater))

WAC 173-302-165 - Disposal Prohibited

WAC 173-302-350 - Treater Requirements

WAC 173-302-360 - Treater Applicability

((WAC 173-302-370 - Treatment Criteria))

WAC 173-302-380(1) and (3) - Treatment Criteria (c) WAC 173-302-170 through 173-302-340, 173-

302-370 and 173-302-380(2) - on September 1, 1979((, the estimated date of the opening of the state's disposal site)). This includes:

WAC 173-302-170 - Generator Requirements

WAC 173-302-180 (((except as above noted))) -Manifest Procedures

WAC 173-302-190 - Manifest Form

WAC 173-302-200 - Transporter Requirements

WAC 173-302-210 (((except as above noted))) -

Transporter Applicability

WAC 173-302-220 - Waste Acceptance

WAC 173-302-230 - Transporting

WAC 173-302-130 [173-302-240] - Operator Requirements

WAC 173-302-250 - Yearly Operating Plan

WAC 173-302-260 - EHW Acceptances

WAC 173-302-270 - EHW Handling at the Disposal Site

WAC 173-302-280 - Environmental Requirements

WAC 173-302-290 - Security Requirements

WAC 173-302-300 - Safety Requirements WAC 173-302-310 - Emergency Requirements WAC 173-302-320 - Personnel Requirements WAC 173-302-330 - Department Surveillance WAC 173-302-340 - Financial Requirements WAC 173-302-370 - E.H.W. Acceptance WAC 173-302-380(2) - Treatment Criteria

WSR 78-08-022 EMERGENCY RULES **DEPARTMENT OF FISHERIES**

[Order 78-49-Filed July 12, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is I.P.S.F.C. regulations are being promulgated by federal authority for 1978. This order is necessary to avoid duplication of regulations.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 12, 1978.

By Gordon Sandison Director

NEW SECTION

WAC 220-47-50300A TROLL LINE- CLOSED AREAS Notwithstanding the provisions of WAC 220-47-503, effective immediately until further notice it shall be unlawful to take, fish for or possess salmon taken with troll line gear for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 4B, 5 and 6C.

WSR 78-08-023 NOTICE OF PUBLIC MEETINGS **BOARD OF PILOTAGE COMMISSIONERS** [Memorandum—July 11, 1978]

Please publish notice in the Washington State Register of the following change in date of the October, 1978 regular meeting of the Board of Pilotage Commissioners. The date of the regularly scheduled monthly meeting of the Board of Pilotage Commissioners for the month of October, 1978, has been changed. Instead of being held on the first Thursday of the month, the meeting will take place on October 12, 1978, at Pier 52, Seattle, Washington, at 9 a.m.

WSR 78-08-024

ADOPTED RULES
INSURANCE COMMISSIONER
[Order R 78-2—Filed July 12, 1978]

I, Dick Marquardt, Insurance Commissioner of the state of Washington, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the Medicare Supplement Disclosure Form to be used pursuant to WAC 284-50-455, such form being WAC 284-50-460.

This action is taken pursuant to Notice No. WSR 78-06-071 filed with the code reviser on 5/26/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 48.02.060, 48.44.050 and 48.46.200 which directs that the Insurance Commissioner has authority to implement the provisions of RCW 48.20.450, with respect to insurance companies; and RCW 48.44.120 with respect to health care service contractors and health maintenance organizations.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 12, 1978.

Dick Marquart, Insurance Commissioner
By Robert E. Johnson
Deputy Commissioner

AMENDATORY SECTION (Amending Order R78-1, filed 4/20/78)

WAC 284-50-460 FORM TO BE USED.

MEDICARE SUPPLEMENT DISCLOSURE FORM

The Washington State Insurance Commissioner requires that this form be given to anyone buying insurance designed to supplement Medicare. It provides a summary of Medicare benefits and the benefits available under our policy. Remember that Medicare benefits may be changed so the information given may not be accurate in the future. Our figures are based on Medicare benefits currently applicable for calendar year 19...

The Insurance Commissioner has these suggestions:

Check with your local Social Security office to obtain information about your Medicare benefits. This

- form shows only a summary of basic Medicare features. There are other Medicare benefits, as well as limitations and exceptions, not shown.
- 2. Use "Your Medicare Handbook." It is available from your local Social Security Office.
- 3. Read your policy carefully. Look for what is said about renewing it. See if it contains waiting periods before benefits are paid. Note how it covers pre-existing conditions (health conditions you already have).
- 4. Don't buy more insurance than you really need. One policy that meets your needs is usually less expensive than several limited policies.
- Use the information on this form to measure the value of any insurance or health care plans you now have.
- If you are eligible for state medical assistance coupons (Medicaid), you are advised not to purchase a Medicare supplement policy.
- After you receive your policy, make sure you have the coverage you thought you bought. Under Washington law, if you are not satisfied with the policy, you may return it within 10 days for a full refund of premium.

MEDICARE

INSURANCE POLICY PAYS

PART A - HOSPITAL INSURANCE

- (1) For the first 60 days of hospital confinement in each benefit period, you pay the First \$.... (Medicare calls this the 'deductible.') Medicare pays the balance of approved covered services.
- (2) For the next 30 days in the same benefit (2) period, you pay \$..... daily (61st-90th days of hospitalization). Medicare pays the balance of approved covered services.
- (3) During the next 60 days of the same benefit period you can receive Medicare benefits by using your "reserve" days and you will pay \$.... per day. The lifetime "reserve" is a Medicare benefit that lets you use 60 days as you need them. But once a reserve day is used, it can never be used again.
- (4) Unless you use reserve days, after 90 days of hospital confinement during the same benefit period Medicare pays no benefits and you must pay all charges.
- (5) Medicare limits psychiatric hospital care (5) to 190 days in your lifetime.

EXTENDED CARE IN MEDICARE APPROVED

SKILLED NURSING FACILITY

CAUTION: a. See 'Your Medicare Handbook' for the conditions that must be met to receive this benefit.

b. Always check whether a nursing facility is Medicare approved.

- (6) For the first 20 days of Medicare qualified (6) confinement in a skilled nursing facility, you pay nothing, Medicare pays 100% of all covered services.
- (7) From the 21st through 100th day, you pay (7) \$.... daily. Medicare pays the balance of the covered services.
- (8) Beyond the 100th day, Medicare provides (8) no benefits.

MEDICARE

INSURANCE POLICY PAYS

(9) Medicare provides no benefits for custodial care. (Care which is primarily for the purpose of meeting personal needs which could be provided by a nonprofessional person.)

PART B - MEDICAL INSURANCE

CAUTION: Doctors' fees and medical charges may exceed charges approved by Medicare. You pay the difference between Medicare's allowable charge and the actual charge.

- (10) You pay the first \$..... toward Medicare approved charges each calendar year. Medicare then pays 80% of further Medicare approved charges for physician services, medical supplies, necessary ambulance service, prosthetic devices and other covered services. You pay the remaining 20% and any additional charge above the amount allowed by Medicare.
- (11) You will receive no more than \$80 from (11) Medicare per calendar year for out-patient physical therapy rendered by an independently practicing physical therapist.

MISCELLANEOUS SERVICES OR

- (12) Medicare provides no benefits for private (12) duty nursing.
- (13) Medicare provides no benefits for outpatient prescription drugs, routine eye examinations, and routine hearing examinations.
- (14) You are responsible for the cost or replacement of the first 3 pints of blood per calendar year.
- (15) Medicare "deductibles" and "coinsurance" (the portions you pay) change from time to time. Will this policy automatically increase your benefits to pay your increased costs?

Additional information about the policy:

The current cost to you for this policy is \$.....

(15) Yes or No
If yes, explain any exceptions or limitations.

monthly or other mode)

(annually,

Except for a general rate increase, does the cost change when you reach a certain age?NoYes (Explain)

> WSR 78-08-025 NOTICE OF PUBLIC MEETINGS STATE HOSPITAL COMMISSION [Memorandum, Exec. Director—July 7, 1978]

The next meeting of the State Hospital Commission will be held on July 13, 1978, at University Tower Hotel, Seattle, beginning at 9:30 a.m. A tentative agenda notice was mailed to all interested persons on June 27, 1978.

Please note that the July 27, 1978 meeting has been cancelled.

The August 10 Commission meeting will be held in Seattle, at the University Tower Hotel, and will begin at 9:30 a.m.

The August 24 Commission meeting is scheduled for Seattle, at the University Tower Hotel, beginning at 9:30 a.m. This meeting is tentatively scheduled, and may be cancelled.

The regularly scheduled meetings for September will be held on the 14th and 28th. Both meetings will be held in Seattle, University Tower Hotel, beginning at 9:30 a.m.

The regularly scheduled meetings for October will be held on the 12th and 26th. The State Hospital Commission at its meeting on June 29, agreed to have a "town hall" type meeting on October 12th, in order to hear the concerns, criticisms, suggestions, and expectations of the State Hospital Commission in the future, by anyone wishing to address the Commission. The agenda and location and time of these meetings will be announced at a later date.

WSR 78-08-026

ADOPTED RULES

DEPARTMENT OF ECOLOGY
[Order DE 77-33—Filed July 13, 1978]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to establishing rates of charges for all water delivered from facilities constructed by the department of Ecology provided by chapter 1, Laws of 1977 1st ex. sess.; creating chapter 173–164 WAC—Water Rate Charges.

This action is taken pursuant to Notice No. 7882 filed with the code reviser on 11/18/77. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 1, Laws of 1977 1st ex. sess. and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED December 28, 1977.

By Elmer C. Vogel

Deputy Director

Chapter 173-164

WATER RATE CHARGES

WAC

173-164-010	Purpose.
173-164-020	Authority.
173-164-030	Definitions.
173-164-040	Rates of charge.
173-164-050	Determination of rate.
173-164-060	Payment schedule.
173-164-070	Measurement of water.

NEW SECTION

WAC 173-164-010 PURPOSE. The purpose of this chapter is to implement the provisions of section 10 (1), chapter 1, laws of 1977, first extraordinary session.

NEW SECTION

WAC 173-164-020 AUTHORITY. This regulation is promulgated by the department of ecology under authorities and procedures provided in chapter 1, laws of 1977, first extraordinary session, after giving notice as provided in chapter 34.04 RCW.

NEW SECTION

WAC 173-164-030 DEFINITIONS. (1) "Department" shall mean the department of ecology.

(2) "Purchaser" shall mean any person, public or municipal corporation or other governmental bodies buying water from the department.

(3) "Director" shall mean the director of the department of ecology.

MEW SECTION

WAC 173-164-040 RATES OF CHARGE. The purchaser shall pay the department for all waters delivered from such facilities as constructed by the department pursuant to chapter 1, laws of 1977, first extraordinary session, at a rate per acre-foot as determined by the director.

NEW SECTION

WAC 173-164-050 DETERMINATION OF RATE. Each irrigation season, the director shall determine the rate of payment per acre-foot of water per project, based on recovery of capital costs, type of crop, and ability to repay.

NEW SECTION

wac 173-164-060 PAYMENT SCHEDULE. (1) the department shall enter into contracts not to exceed twenty-five years with any public or municipal corporation or other governmental body having authority to distribute water for payment for the amount of water received.

(2) Full payment for the amount of water purchased by any other purchaser of water not having the authority to distribute water shall be made to the department monthly prior to delivery of water to the purchaser based on the estimated water to be purchased during the month. Adjustment will be made at the end of each month to account for the difference between the estimated and actual delivery. The adjustment will be made when the estimated payment is made for the following month.

NEW SECTION

WAC 173-164-070 MEASUREMENT OF WATER. The amount of water purchased shall be measured at the well site with a measuring device provided by the department.

WSR 78-08-027

ADOPTED RULES

DEPARTMENT OF LICENSING [Order RE 124, Resolution RE 124—Filed July 14, 1978]

Be it resolved by the director, acting at Auditorium of Office Bldg. II, 12th and Franklin Streets, Olympia, WA, that it does promulgate and adopt the annexed rules relating to escrow agents' errors and omissions required insurance coverage.

This action is shall taken pursuant to Notice No. WSR 78-05-086 filed with the code reviser on May 2, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2)

This rule is promulgated pursuant to RCW 18.44.360 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 11, 1978.

By R. Y. Woodhouse Director

AMENDATORY SECTION (Amending Order RE 122, filed 9-21-77)

WAC 308-128F-020 ERRORS AND OMIS-SIONS POLICY. Each certificated escrow agent shall obtain and keep in effect an errors and omissions policy ((in an aggregate minimum)) providing minimum coverage in the amount of \$50,000 per loss, with a minimum of \$50,000 aggregate coverage. This minimum coverage requirement is effective until June 1, 1979, after which date the requirements of RCW 18.44.050 must be met.

WSR 78-08-028 PROPOSED RULES DEPARTMENT OF PERSONNEL [Filed July 14, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 41.06.040, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd WAC 356-10-030 Positions—Allocation—Reallocation.
Amd WAC 356-10-050 Positions—Reallocation upward((—)), incumbents.

Amd WAC 356-10-060 Allocation—((Appeals)) Request for

review;

that such agency will at 10:00 a.m., Thursday, September 14, 1978, in the Board Meeting Room, 600 So. Franklin, Olympia, WA, conduct a hearing relative

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, September

14, 1978, in the Board Meeting Room, 600 So. Franklin, Olympia, WA.

The authority under which these rules are proposed is RCW 41.06.040 and 41.06.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 12, 1978, and/or orally at 10:00 a.m., Thursday, September 14, 1978, Board Meeting Room, 600 So. Franklin, Olympia, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-06-112 filed with the code reviser's office on June 6, 1978.

Dated: July 13, 1978
By: Leonard Nord
Secretary

WSR 78-08-029 EMERGENCY RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Order 1316—Filed July 17, 1978]

I, Gerald J. Thompson, Secretary, of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

New ch. 388-35 WAC relating to GAN—Eligibility—Payment—Standards.

Amd ch. 388-37 WAC relating to GA—Eligibility—Standards of assistance—Payment.

I, Gerald J. Thompson, find that an emergency exists and that the foregoing order is necessary for for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Governor Dixy Lee Ray has directed the DSHS and the DES to provide productive employment opportunities for employable recipients of the general assistance program. The amount appropriated under Sec. 57, Ch. 339 of the Washington Laws, 1977 ex. sess. for increases in the noncontinuing general assistance grants has been depleted.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule—making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 17, 1978.

By Gerald J. Thompson Secretary

Chapter 388-35 WAC NONCONTINUING GENERAL ASSISTANCE-ELIGIBILITY— —PAYMENT——STANDARDS WAC 388-35-010 CONDITIONS OF **ELIGIBILITY DETERMINATION OF FI-**WAC 388-35-020 NANCIAL NEED WAC 388-35-030 **CERTIFICATION PERIOD** WAC 388-35-050 ASSISTANCE UNITS WAC 388-35-060 **CONDITIONS FOR** RECERTIFICATION WAC 388-35-070 NONCONTINUING GENER-AL ASSISTANCE-REQUIREMENTS

NEW SECTION

<u>WAC 388-35-010</u> CONDITIONS OF ELIGIBIL-ITY. GAN shall be granted to persons who meet all of the following eligibility conditions:

- (1) Are in financial need as defined in subsequent sections of this chapter,
- (2) Are not eligible for, receiving, or having their needs met by AFDC, Emergency Family Assistance, SSI or GAU;
- (3) Have taken all steps necessary to make themselves eligible for AFDC, Emergency Family Assistance, SSI or GAU;
- (4) Are not under any sanction for failure to comply with the eligibility requirements of AFDC, Emergency Family Assistance, SSI or GAU;
- (a) AFDC and GAU applicants who are waiting for an incapacity decision to be made may be granted GAN until the date of the eligibility determination for AFDC or GAU.
- (b) SSI applicants who are waiting for a disability determination to be made may be granted GAN until the date of receipt of the first SSI payment provided that they have signed an interim assistance agreement in accordance with WAC 388-37-010(6).
 - (5) Are at least 18 years old unless:
- (a) They are dependent minors who are living with their parents, or
- (b) They are minors who are not able to be placed in foster care and who are living outside the parental home and are attending school or a vocational training program approved by the ESSO in accordance with WAC 388-57-028.
 - (6) Are employable unless:
- (a) They are AFDC, GAU, or SSI applicants who are waiting for an incapacity or disability determination to be made, or
- (b) They expect to be incapacitated for less than 30 days.
 - (7) Are unemployed;

Persons who work less than 100 hours per month shall be considered unemployed.

- (8) (a) Are residents of Washington State who live in an identifiable residence,
- (b) GAN may be granted to non-residents for a maximum of 30 days during one biennium if denial would cause undue hardship.

- (9) Have not transferred property contrary to WAC 388-28-458 through 465;
- (10) Are registered for employment with Washington State Employment Security (WSES) unless it is verified that they are:
 - (a) Ill or incapacitated; or
- (b) Needed in the home to care for an incapacitated person in the household; or
 - (c) Under 16; or
- (d) Attending school or a vocational training program approved by the ESSO in accordance with 388-57-028; or
 - (e) A caretaker of a child under six, or
- (f) AFDC, GAU or SSI applicants who are waiting for an incapacity determination to be made.
- (11) (a) Have not refused a bona fide job offer or offer of ESSO-approved training without good cause within 30 days prior to application or after application,
- (b) Have not voluntarily terminated employment or ESSO-approved training without good cause within 30 days prior to application or after application,
- (c) Refusal of a bona fide offer of employment or ESSO-approved training or voluntary termination of either without good cause within 30 days prior to application or after application shall result in a period of ineligibility of 30 days or until the person accepts employment or training, whichever period is less.
- (i) For an applicant, the period of ineligibility shall begin on the date of refusal or termination of employment or training;
- (ii) For a recipient, the period of ineligibility shall begin on the day after the current certification ends.
- (iii) Conditions which constitute a good cause for refusal or termination of employment are defined in WAC 388-57-025(7).
- (iv) The following conditions shall constitute good cause for refusal or termination of ESSO-approved training:
- (A) Mental or physical inability of the person to participate in the training;
- (B) Inability of the person to get to and from the training site without undue cost or hardship.
- (12) Have applied for unemployment compensation if potentially eligible.

NEW SECTION

WAC 388-35-020 DETERMINATION OF FINANCIAL NEED. Determination of financial need differs from that described in WAC Chapter 28 as follows:

- (1) Exempt resources and income. The following types of property shall be exempt in determination of financial need:
- (a) A home: WAC 388-28-420 shall apply in determining whether real property is used as a home.
- (b) A used and useful vehicle when needed for medical reasons or to seek or retain employment. The equity in the vehicle shall not exceed \$1,500.
 - (c) Used and useful household furnishings;
 - (d) Used and useful personal effects;
- (e) Tools and equipment used and useful in the person's occupation.

- (f) Livestock, the products of which are consumed by the applicant and his dependents,
 - (g) Income as specified in WAC 388-28-575(2).
- (2) Non-exempt resources and income. All income and personal and real property not exempted above shall be considered non-exempt in determination of financial need
- (3) 30 days shall ordinarily be considered a reasonable period to clarify the ownership or value of a resource.
- (4) Computation of grant amount, treatment of income and resources.
- (a) Income received after application and before grant authorization shall be prorated at the GAN standard from the date of application up to the date of grant authorization. Any remainder shall be deducted from the grant
- (b) Income received after grant authorization shall be deducted from the following grant provided there is no break in assistance.
- (c) If there is a break in assistance of 30 days or less, income received after grant authorization shall be prorated at the GAN standard for the period between certifications and any remainder shall be deducted from the following grant.
- (d) Cash on hand at the time of grant authorization shall be deducted from the grant if the amount of cash is less than the applicant's needs for the certification period. If the amount of cash on hand is greater than the applicant's needs for the certification period, the applicant shall be ineligible.
- (e) A value shall be placed on all other non-exempt resources available to the applicant at the time of grant authorization in accordance with WAC 388-28-400.
- (i) If the value of available non-exempt resources is greater than the applicant's needs for the certification period, the applicant shall be ineligible.
- (ii) If the value of available non-exempt resources is less than the applicant's needs for the certification period, the amount of the value shall be deducted from the grant.

NEW SECTION

WAC 388-35-030 CERTIFICATION PERIOD. (1) The normal certification period shall be 15 days and shall not exceed 30 days.

- (a) Assistance for 30 days may be authorized when it appears that a change in the person's circumstances is not likely to occur during the certification period.
- (b) Assistance for less than 15 days may be authorized if an applicant expects to receive income or resources within the normal certification period.
- (2) Eligibility shall be redetermined prior to the issuance of each grant.
- (3) A person must reapply if more than 30 days has elapsed since the end of the last certification period.

NEW SECTION

WAC 388-35-050 ASSISTANCE UNITS. The persons whose needs shall be included in the grant of the

primary applicant are those for whose support the applicant is legally responsible provided each other person meets all eligibility conditions.

NEW SECTION

WAC 388-35-060 CONDITIONS FOR RECER-TIFICATION. (1) Persons shall be recertified only when they have applied for and/or utilized to the full extent available any resources for which they might be eligible including but not limited to:

- (a) Employment counseling and referral if they are required to register with WSES as a condition of eligibility.
 - (b) Benefits, entitlements, compensation;
- (c) Failure to pursue and/or utilize such resources without good cause shall result in a period of ineligibility of 30 days or until the person begins to pursue and/or utilize such resources, whichever period is less.
- (d) The following conditions shall constitute good cause:
- (i) Mental or physical inability of the person to pursue and/or utilize such resources;
- (ii) Inability of the person to get to and from the job. interview, counseling appointment, or application for such resources without undue cost or hardship.
- (2) Persons who are required to register with WSES as a condition of eligibility shall be recertified only when it is verified that they have been actively seeking work.

NEW SECTION

WAC 388-35-070 NONCONTINUING GENER-AL ASSISTANCE--REQUIREMENTS. The standards for basic monthly requirements for a noncontinuing general assistance applicant or recipient shall be:

Number of GA-N recipients in assistance unit

1	2	3	4	5	6	7	8	9
\$ 60	\$ 95		_ \$157	<u> </u>	\$228	 \$260	<u>\$294</u>	<u>~</u> \$327
			•		0000	••••		•22.
10	11	12	13	14	15	16	17	18 or more
\$361	\$396	\$430	\$464	\$499	\$ 532	\$ 566	\$ 599	\$634

AMENDATORY SECTION (Amending Order 1214, filed 6/23/77)

WAC 388-37-010 CONTINUING GENERAL ASSISTANCE—((DESIGNATIONS—))EX-CLUSIONS. (1) Continuing general assistance is a state financed program which provides for the needs of some persons who are not eligible for or are not receiving a federal aid grant((:)) and whose need is expected to continue for more than a 30-day period.

(((2) General assistance is divided into two major groupings: Noncontinuing assistance (GA-N) and con-

tinuing assistance (GAU).

(3) Noncontinuing assistance is intended to assist an otherwise eligible person(s) whose need is expected to be

- of short duration or who does not immediately qualify for continuing general assistance or a federal aid money grant.
- (4) Continuing assistance is intended to assist certain specified groups of people whose need is expected to continue for more than a 30-day period.
- (5) A person referred to and accepted by the division of vocational rehabilitation services under an approved plan including maintenance payments is not eligible for general assistance.))
- (((6))) (2) Continuing general assistance cannot be granted to a person eligible for or receiving AFDC or to a person eligible for or receiving supplemental security income except that
- (a) An applicant who appears to be eligible for SSI may receive continuing general assistance payments until the date of receipt of the initial SSI payment provided that:
 - (i) the applicant applies;
- (ii) the applicant assigns the initial SSI payment to DSHS up to the amount of the GA-U provided to the applicant pending approval of the SSI application.
- (iii) the applicant meets all other general assistance eligibility requirements.
- (b) If the amount of the initial SSI payment recovered by DSHS under subdivision (6)(a) does not meet the amount paid as GA-U, the balance must be treated as an overpayment.
- (i) If the SSI benefit is less than the GAU payment standard because the SSI is based on a different living arrangement than that authorized under the GAU program, the difference will not be considered an overpayment, provided the applicant has appealed the SSI determination and lost the final appeal.
- (((7))) (3) Continuing general assistance cannot be granted to a recipient of supplemental security income when he is subject to any sanction for failure to comply with SSI eligibility requirements.

AMENDATORY SECTION (Amending Order 1251, filed 11/10/77)

WAC 388-37-020 CONTINUING GENERAL ASSISTANCE--ELIGIBILITY CONDI-TIONS—GENERAL. (1) An applicant or recipient shall be resident of the state of Washington as defined in WAC 388-26-055 and be living in an identifiable residence within the local office area((, except that,

(a) Noncontinuing general assistance may be granted to a person who has no intent to reside in the state of Washington if he is otherwise eligible for noncontinuing general assistance and if denial of assistance to him would cause undue hardship. Assistance may be extended for a period not to exceed ninety days during a biennium. Receipt of assistance for periods of less than ninety days shall be accumulative during the biennium.

(b) The applicant's refusal to return to his place of residence shall not be grounds for denying assistance.))

(2) An applicant or recipient shall not have transferred property contrary to law or rules as specified in WAC ((388-26-200)) 388-28-458 through ((388-26-200))250)) <u>388-28-465.</u>

(3) If an individual is living in an institution, WAC 388-34-010 through 388-34-020 also apply in eligibili-

ty determination.

(4) ((There are differences in financial need determination, property limits and requirements within the general assistance program.)) Continuing general assistance follows financial need determination as provided in provisions of chapter 388–28 WAC, except for the earned income exemption specified in WAC 388–37–025. ((Specific eligibility conditions required for noncontinuing general assistance are defined in subsequent sections of this chapter.))

REPEALER

The following sections of the Washington Administrative Code are repealed.

- (1) WAC 388-37-210 Noncontinuing general assistance—Eligible persons
- (2) WAC 388-37-215 Noncontinuing general assistance—Specific eligibility conditions
- (3) WAC 388-37-220 Noncontinuing general assistance—Requirements
- (4) WAC 388-37-230 Noncontinuing general assistance—Exempt and nonexempt resources and income
- (5) WAC 388-37-235 Noncontinuing general assistance—Computing income
- (6) WAC 388-37-240 Noncontinuing general assistance—Utilization of resources and income
- (7) WAC 388-37-245 Noncontinuing general assistance—Effective date of eligibility
- (8) WAC 388-37-250 Noncontinuing general assistance—Grant period
- (9) WAC 388-37-255 Noncontinuing general assistance——Authorization and reauthorization of grant
- (10) WAC 388-37-260 Noncontinuing general assistance—Notification to recipient
- (11) WAC 388-37-265 Noncontinuing general assistance—Payment of grant
- (12) WAC 388-37-270 Noncontinuing general assistance—Vendor payment

WSR 78-08-030
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed July 17, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

New ch. 388-35 WAC relating to GAN—Eligibility—Payment—Standards.

Amd ch. 388-37 WAC relating to GA—Eligibility—Standards of assistance—Payment.

It is the intention of the Secretary to adopt these rules on an emergency basis on July 17, 1978.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan
Executive Assistant
Department of Social and Health Services
Mail Stop OB-44 C
Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, September 6, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Friday, September 15, 1978, in William B. Pope's Office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 6, 1978, and/or orally at 10:00 a.m., Wednesday, September 6, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: July 17, 1978 By: Gerald J. Thompson Secretary

Chapter 388-35 WAC
NONCONTINUING GENERAL ASSISTANCE—ELIGIBILITY—PAYMENT—STANDARDS

1 Y-	PAYMENISIANDAKDS
WAC 388-35-010	CONDITIONS OF ELIGIBILITY
WAC 388-35-020	DETERMINATION OF FINANCIAL NEED
WAC 388-35-030	CERTIFICATION PERIOD
WAC 388-35-050	ASSISTANCE UNITS
WAC 388-35-060	CONDITIONS FOR RECERTIFICATION
WAC 388-35-070	NONCONTINUING GENERAL ASSIST-
	ANCE—REQUIREMENTS

NEW SECTION

WAC 388-35-010 CONDITIONS OF ELIGIBILITY. GAN shall be granted to persons who meet all of the following eligibility conditions:

(1) Are in financial need as defined in subsequent sections of this chapter;

(2) Are not eligible for, receiving, or having their needs met by AFDC, Emergency Family Assistance, SSI or GAU;

(3) Have taken all steps necessary to make themselves eligible for AFDC, Emergency Family Assistance, SSI or GAU;

- (4) Are not under any sanction for failure to comply with the eligibility requirements of AFDC, Emergency Family Assistance, SSI or GALI:
- (a) AFDC and GAU applicants who are waiting for an incapacity decision to be made may be granted GAN until the date of the eligibility determination for AFDC or GAU.
- (b) SSI applicants who are waiting for a disability determination to be made may be granted GAN until the date of receipt of the first SSI payment provided that they have signed an interim assistance agreement in accordance with WAC 388-37-010(6).

(5) Are at least 18 years old unless:

- (a) They are dependent minors who are living with their parents; or
- (b) They are minors who are not able to be placed in foster care and who are living outside the parental home and are attending school or a vocational training program approved by the ESSO in accordance with WAC 388-57-028.

(6) Are employable unless:

(a) They are AFDC, GAU, or SSI applicants who are waiting for an incapacity or disability determination to be made; or

(b) They expect to be incapacitated for less than 30 days.

(7) Are unemployed;

Persons who work less than 100 hours per month shall be considered unemployed.

- (8) (a) Are residents of Washington State who live in an identifiable residence;
- (b) GAN may be granted to non-residents for a maximum of 30 days during one biennium if denial would cause undue hardship.
- (9) Have not transferred property contrary to WAC 388-28-458 through 465;
- (10) Are registered for employment with Washington State Employment Security (WSES) unless it is verified that they are:

(a) Ill or incapacitated; or

(b) Needed in the home to care for an incapacitated person in the household; or

(c) Under 16; or

(d) Attending school or a vocational training program approved by the ESSO in accordance with 388-57-028; or

(e) A caretaker of a child under six; or

- (f) AFDC, GAU or SSI applicants who are waiting for an incapacity determination to be made.
- (11) (a) Have not refused a bona fide job offer or offer of ESSO-approved training without good cause within 30 days prior to application or after application,
- (b) Have not voluntarily terminated employment or ESSO-approved training without good cause within 30 days prior to application or after application,
- (c) Refusal of a bona fide offer of employment or ESSO-approved training or voluntary termination of either without good cause within 30 days prior to application or after application shall result in a period of ineligibility of 30 days or until the person accepts employment or training, whichever period is less.
- (i) For an applicant, the period of ineligibility shall begin on the date of refusal or termination of employment or training;
- (ii) For a recipient, the period of ineligibility shall begin on the day after the current certification ends.
- (iii) Conditions which constitute a good cause for refusal or termination of employment are defined in WAC 388-57-025(7).
- (iv) The following conditions shall constitute good cause for refusal or termination of ESSO-approved training:
- (A) Mental or physical inability of the person to participate in the training;
- (B) Inability of the person to get to and from the training site without undue cost or hardship.
- (12) Have applied for unemployment compensation if potentially eligible.

NEW SECTION

- WAC 388-35-020 DETERMINATION OF FINANCIAL NEED. Determination of financial need differs from that described in WAC Chapter 28 as follows:
- (1) Exempt resources and income. The following types of property shall be exempt in determination of financial need:
- (a) A home: WAC 388-28-420 shall apply in determining whether real property is used as a home.
- (b) A used and useful vehicle when needed for medical reasons or to seek or retain employment. The equity in the vehicle shall not exceed \$1,500.

- (c) Used and useful household furnishings;
- (d) Used and useful personal effects;
- (e) Tools and equipment used and useful in the person's occupation.
- (f) Livestock, the products of which are consumed by the applicant and his dependents;
 - (g) Income as specified in WAC 388-28-575(2).
- (2) Non-exempt resources and income. All income and personal and real property not exempted above shall be considered non-exempt in determination of financial need
- (3) 30 days shall ordinarily be considered a reasonable period to clarify the ownership or value of a resource.
- (4) Computation of grant amount, treatment of income and resources.
- (a) Income received after application and before grant authorization shall be prorated at the GAN standard from the date of application up to the date of grant authorization. Any remainder shall be deducted from the grant.
- (b) Income received after grant authorization shall be deducted from the following grant provided there is no break in assistance.
- (c) If there is a break in assistance of 30 days or less, income received after grant authorization shall be prorated at the GAN standard for the period between certifications and any remainder shall be deducted from the following grant.
- (d) Cash on hand at the time of grant authorization shall be deducted from the grant if the amount of cash is less than the applicant's needs for the certification period. If the amount of cash on hand is greater than the applicant's needs for the certification period, the applicant shall be ineligible.
- (e) A value shall be placed on all other non-exempt resources available to the applicant at the time of grant authorization in accordance with WAC 388-28-400.
- (i) If the value of available non-exempt resources is greater than the applicant's needs for the certification period, the applicant shall be ineligible.
- (ii) If the value of available non-exempt resources is less than the applicant's needs for the certification period, the amount of the value shall be deducted from the grant.

NEW SECTION

WAC 388-35-030 CERTIFICATION PERIOD. (1) The normal certification period shall be 15 days and shall not exceed 30 days.

- (a) Assistance for 30 days may be authorized when it appears that a change in the person's circumstances is not likely to occur during the certification period.
- (b) Assistance for less than 15 days may be authorized if an applicant expects to receive income or resources within the normal certification period.
- (2) Eligibility shall be redetermined prior to the issuance of each grant.
- (3) A person must reapply if more than 30 days has elapsed since the end of the last certification period.

NEW SECTION

<u>WAC 388-35-050</u> ASSISTANCE UNITS. The persons whose needs shall be included in the grant of the primary applicant are those for whose support the applicant is legally responsible provided each other person meets all eligibility conditions.

NEW SECTION

WAC 388-35-060 CONDITIONS FOR RECERTIFICATION. (1) Persons shall be recertified only when they have applied for and/or utilized to the full extent available any resources for which they might be eligible including but not limited to:

(a) Employment counseling and referral if they are required to register with WSES as a condition of eligibility;

(b) Benefits, entitlements, compensation;

- (c) Failure to pursue and/or utilize such resources without good cause shall result in a period of ineligibility of 30 days or until the person begins to pursue and/or utilize such resources, whichever period is less.
 - (d) The following conditions shall constitute good cause:
- (i) Mental or physical inability of the person to pursue and/or utilize such resources;

- (ii) Inability of the person to get to and from the job, interview, counseling appointment, or application for such resources without undue cost or hardship.
- (2) Persons who are required to register with WSES as a condition of eligibility shall be recertified only when it is verified that they have been actively seeking work.

NEW SECTION

WAC 388-35-070 NONCONTINUING GENERAL ASSIST-ANCE—REQUIREMENTS. The standards for basic monthly requirements for a noncontinuing general assistance applicant or recipient shall be:

Number of GA-N recipients in assistance unit

1	2	3.	4	5	6	7	8	9
_	_	_	_		_	_	_	_
\$ 60	\$ 95	\$125	\$157	\$194	\$228	\$260	\$294	\$327
10	11	12	13	14	15	16	<u>17</u>	18 or more
\$ 361	\$396	\$430	\$464	\$499	\$532	\$566	\$599	\$634

AMENDATORY SECTION (Amending Order 1214, filed 6/23/77)

WAC 388-37-010 CONTINUING GENERAL ASSIST-ANCE—((DESIGNATIONS—))EXCLUSIONS. (1) Continuing general assistance is a state financed program which provides for the needs of some persons who are not eligible for or are not receiving a federal aid grant((:)) and whose need is expected to continue for more than a 30-day period.

(((2) General assistance is divided into two major groupings: Non-continuing assistance (GA-N) and continuing assistance (GAU).

- (3) Noncontinuing assistance is intended to assist an otherwise eligible person(s) whose need is expected to be of short duration or who does not immediately qualify for continuing general assistance or a federal aid money grant.
- (4) Continuing assistance is intended to assist certain specified groups of people whose need is expected to continue for more than a 30-day period.
- (5) A person referred to and accepted by the division of vocational rehabilitation services under an approved plan including maintenance payments is not eligible for general assistance.))
- (((6))) (2) Continuing general assistance cannot be granted to a person eligible for or receiving AFDC or to a person eligible for or receiving supplemental security income except that
- (a) An applicant who appears to be eligible for SSI may receive continuing general assistance payments until the date of receipt of the initial SSI payment provided that:
 - (i) the applicant applies;
- (ii) the applicant assigns the initial SSI payment to DSHS up to the amount of the GA-U provided to the applicant pending approval of the SSI application;
- (iii) the applicant meets all other general assistance eligibility requirements.
- (b) If the amount of the initial SSI payment recovered by DSHS under subdivision (6)(a) does not meet the amount paid as GA-U, the balance must be treated as an overpayment.
- (i) If the SSI benefit is less than the GAU payment standard because the SSI is based on a different living arrangement than that authorized under the GAU program, the difference will not be considered an overpayment, provided the applicant has appealed the SSI determination and lost the final appeal.
- (((7))) (3) Continuing general assistance cannot be granted to a recipient of supplemental security income when he is subject to any sanction for failure to comply with SSI eligibility requirements.

AMENDATORY SECTION (Amending Order 1251, filed 11/10/77)

WAC 388-37-020 CONTINUING GENERAL ASSIST-ANCE—ELIGIBILITY CONDITIONS—GENERAL. (1) An applicant or recipient shall be resident of the state of Washington as defined in WAC 388-26-055 and be living in an identifiable residence within the local office area((, except that;

- (a) Noncontinuing general assistance may be granted to a person who has no intent to reside in the state of Washington if he is otherwise eligible for noncontinuing general assistance and if denial of assistance to him would cause undue hardship. Assistance may be extended for a period not to exceed ninety days during a biennium. Receipt of assistance for periods of less than ninety days shall be accumulative during the biennium.
- (b) The applicant's refusal to return to his place of residence shall not be grounds for denying assistance.))
- (2) An applicant or recipient shall not have transferred property contrary to law or rules as specified in WAC ((388-26-200)) 388-28-458 through ((388-26-250)) 388-28-465.
- (3) If an individual is living in an institution, WAC 388-34-010 through 388-34-020 also apply in eligibility determination.
- (4) ((There are differences in financial need determination, property limits and requirements within the general assistance program.)) Continuing general assistance follows financial need determination as provided in provisions of chapter 388-28 WAC, except for the earned income exemption specified in WAC 388-37-025. ((Specific eligibility conditions required for noncontinuing general assistance are defined in subsequent sections of this chapter.))

REPEALER

The following sections of the Washington Administrative Code are repealed.

- (1) WAC 388-37-210 Noncontinuing general assistance—Eligible persons (2) WAC 388-37-215 Noncontinuing general assistance—Specific eligibility conditions (3) WAC 388-37-220 Noncontinuing general assistance-Requirements WAC 388-37-230 Noncontinuing general assistance empt and nonexempt resources and income Noncontinuing general assistance-(5) WAC 388-37-235 Computing income Noncontinuing general assistance—Uti-WAC 388-37-240 lization of resources and income Noncontinuing general assistance—Ef-WAC 388-37-245 fective date of eligibility WAC 388-37-250 Noncontinuing general assistance—Grant period
- (9) WAC 388-37-255 Noncontinuing general assistance—Authorization and reauthorization of grant
- (10) WAC 388-37-260 Noncontinuing general assistance—Notification to recipient
- (11) WAC 388-37-265 Noncontinuing general assistance—Payment of grant
- (12) WAC 388-37-270 Noncontinuing general assistance— Vendor payment

WSR 78-08-031 EMERGENCY RULES SECRETARY OF STATE [Order 78-1—Filed July 17, 1978]

o V Chapman Secretary of State

- I, Bruce K. Chapman, Secretary of State, do promulgate and adopt at Office of the Secretary of State, Legislative Building, Olympia the annexed rules relating to random sampling procedures for verification of initiative and referendum petitions.
- I, Bruce K. Chapman, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and

opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the Office of the Secretary of State presently has on file signature petition sheets for Initiative Measure 350; in order to expedite the preparation of the Official Voters' Pamphlet, it is necessary to complete the verification and certification of that initiative in less than thirty days.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 29.79.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 13, 1978.

By Carmela M. Bowns Assistant Secretary of State

NEW SECTION

WAC 434-79-010 RANDOM SAMPLING PRO-CEDURE. In the verification of signatures on initiative and referendum petitions pursuant to RCW 29.79.200 and RCW 29.79.220, when the number of signatures submitted is more than 110 percent of the number of signatures required by Article II, Section 1A of the Washington State Constitution, the following statistical test may be employed:

- (1) Take an unrestricted random sample of the signatures submitted;
- (2) Check each signature sampled to determine the number of valid signatures in the sample, the number of signatures in the sample which are invalid because the individual signing is not registered or the signature is improper in form, and the number of signatures which are duplicated in the sample;
- (3) Calculate an allowance for the chance error of sampling by multiplying the square root of the number of invalid signatures in the sample by 1.5;
- (4) Estimate the upper limit of the number of signatures in the population which are invalid by dividing the sum of the invalid signatures in the sample and the allowance for the chance error of sampling by the sampling ratio, i.e. the number of signatures sampled divided by the number of signatures submitted;
- (5) Determine the maximum allowable number of pairs of signatures in the population by subtracting the sum of 110 percent of the number of signatures required by Article II, Section 1A of the Washington State Constitution and the estimate of the upper limit of the number of invalid signatures in the population from the number of signatures submitted;
- (6) Determine the expected number of pairs of signatures in the sample by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures in the population;

- (7) Determine the acceptable number of pairs of signatures in the sample by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample,
- (8) If the number of pairs of signatures in the sample is greater than the acceptable number of pairs of signatures in the sample, each signature shall be canvassed to determine the exact number of valid signatures;
- (9) If the number of pairs of signatures in the sample is less than the acceptable number of pairs of signatures in the sample, the petition shall be deemed to contain sufficient signatures and the serial number and ballot title shall be certified to the state legislature as provided in RCW 29.79.200 or to the county auditors as provided in RCW 29.79.230.

WSR 78-08-032
ADOPTED RULES
SECRETARY OF STATE
[Order 78-2—Filed July 17, 1978]

I, Bruce K. Chapman, Secretary of State, do promulgate and adopt at Office of the Secretary of State, Legislative Building, Olympia the annexed rules relating to random sampling procedures for verification of initiative and referendum petitions.

This action is taken pursuant to Notice No. WSR 78-06-133 filed with the code reviser on June 7, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 29.79.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 13, 1978.

By Carmela M. Bowns Assistant Secretary of State

NEW SECTION

WAC 434-79-010 RANDOM SAMPLING PRO-CEDURE. In the verification of signatures on initiative and referendum petitions, pursuant to RCW 29.79.200 and RCW 29.79.220, when the number of signatures submitted is more than 110 percent of the number of signatures required by Article II, Section 1A of the Washington State Constitution, the following statistical test may be employed:

- (1) Take an unrestricted random sample of the signatures submitted;
- (2) Check each signature sampled to determine the number of valid signatures in the sample, the number of signatures in the sample which are invalid because the individual signing is not registered or the signature is

improper in form, and the number of signatures which are duplicated in the sample;

(3) Calculate an allowance for the chance error of sampling by multiplying the square root of the number of invalid signatures in the sample by 1.5;

- (4) Estimate the upper limit of the number of signatures in the population which are invalid by dividing the sum of the invalid signatures in the sample and the allowance for the chance error of sampling by the sampling ratio, i.e. the number of signatures sampled divided by the number of signatures submitted;
- (5) Determine the maximum allowable number of pairs of signatures in the population by subtracting the sum of 110 percent of the number of signatures required by Article II, Section 1A of the Washington State Constitution and the estimate of the upper limit of the number of invalid signatures in the population from the number of signatures submitted;

(6) Determine the expected number of pairs of signatures in the sample by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures in the population;

(7) Determine the acceptable number of pairs of signatures in the sample by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample;

(8) If the number of pairs of signatures in the sample is greater than the acceptable number of pairs of signatures in the sample, each signature shall be canvassed to determine the exact number of valid signatures;

(9) If the number of pairs of signatures in the sample is less than the acceptable number of pairs of signatures in the sample, the petition shall be deemed to contain sufficient signatures and the serial number and ballot title shall be certified to the state legislature as provided in RCW 29.79.200 or to the county auditors as provided in RCW 29.79.230.

WSR 78-08-033 ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION [Order 2-78—Filed July 18, 1978, July 21, 1978]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Old Capitol Bldg., Washington and Legion, Olympia, Washington, the annexed rules relating to the conduct of the State Board of Education election, chapter 392–109 WAC.

This action is taken pursuant to Notice No. WSR 78-06-115 filed with the code reviser on 6/7/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Superintendent of Public Instruction as authorized in RCW 28A.04.020.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 18, 1978.

By Frank B. Brouillet Superintendent of Public Instruction

NEW SECTION

WAC 392-109-006 ELIGIBILITY—DEC-LARATION OF CANDIDACY. (1) A person is eligible to be a candidate for membership on the state board of education if he or she is a resident of the congressional district for which the candidate files.

- (2) A person who desires to file for candidacy shall do so by completing: (a) A declaration of candidacy and affidavit on a form prepared and provided by the superintendent of public instruction; and (b) the biographical material pursuant to WAC 392-109-010: PROVIDED, That a declarant may elect not to submit biographical
- (3) The filing period is from September 1 to September 16. Any declaration of candidacy which is not received or postmarked later than midnight September 16 shall not be accepted by the superintendent of public instruction and such a declarant shall not be a candidate.

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-109-010 BIOGRAPHICAL DATA—LIMITATION ((DATA)). ((Biographical materials submitted by candidates for state board of education membership pursuant to RCW 28A.04.050)) Pursuant to RCW 28A.04.050, the superintendent of public instruction shall provide a biographical data form which each candidate may complete. Such form shall not exceed two ((single space)) letter size (8 1/2 x 11 inches) typewritten pages in length pursuant to RCW 28A.04-050. Biographical data must be camera ready and will be reproduced as submitted by the candidate and distributed with the ballots to all eligible voters.

NEW SECTION

WAC 392-109-026 VOTING. (1) The election shall be conducted by the superintendent of public instruction in accordance with the requirements of RCW 28A.04.060.

(2) In addition to the timelines and procedures contained in statute, the following shall apply:

(a) The superintendent of public instruction or his or her designee shall compile a list of those who are eligible to vote;

(b) Ballots shall be mailed to each eligible voter with two return envelopes;

- (i) The outer and larger envelope shall be labeled "official ballot," and it shall be preaddressed with the superintendent of public instruction as the addressee. In addition, the outer envelope shall have provision for a return address, including voter's name, address, school district name and number, and congressional district name and number;
- (ii) The inner and smaller envelope shall be unlabeled and unmarked.

- (c) After the voter marks the ballot, the ballot shall be placed in the smaller, unlabeled envelope and the envelope shall be sealed. The voter shall not mark the inner envelope in any manner. The smaller envelope containing the ballot shall be placed in the larger, "official ballot" envelope, which shall be sealed. The voter shall place his name, in a legible manner, in the space provided on the "official ballot" envelope. The ballot shall then be mailed to the superintendent of public instruction.
- (d) As the official ballot envelopes are received by the superintendent of public instruction or his or her designee, a preliminary determination shall be made as to the eligibility of the voter pursuant to RCW 28A.04.050, and a record shall be made on the list of eligible voters that the voter has voted. In no event shall the list indicate in any manner how an eligible voter has cast his or her vote. Official ballot envelopes not submitted according to RCW 28A.04.060 and this chapter shall be set aside for a final review and acceptance or rejection by the election board. Those official ballot envelopes which are accepted by the election board shall be opened, and the sealed inner envelopes containing the ballots shall be removed from the outer envelopes and placed aside, still sealed. These envelopes containing the ballots shall then be opened and the votes tallied by the election board. All ballots shall be counted on a day chosen by the superintendent of public instruction or his or her designee but not later than October 25th. The election board shall not count any ballot which:
- (i) Is contained in other than the official ballot envelope; or
- (ii) Is in an official ballot envelope which is mailed without the voter's name provided in the space designated in the upper left hand corner of the official ballot envelope; and/or
- (iii) Is mailed and postmarked after midnight on the statutory deadline.

WSR 78-08-034 ADOPTED RULES-

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 3-78—Filed July 18, 1978]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Old Capitol Bldg., Washington and Legion, Olympia, Washington, the annexed rules relating to the attendance of nonresident students and students over the age of twenty—one at a public school set forth in chapter 392–137 WAC; including, but not limited to, amendments correcting references to orders of transfer by the State Board of Education to orders of transfer by the Superintendent of Public Instruction.

This action is taken pursuant to Notice No. WSR 78-06-051 filed with the code reviser on 5/24/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule—making authority of the Superintendent of Public Instruction as authorized in RCW 28A.03.030(1) and (3), 28A.58.240 and 28A.58.242.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 18, 1978.

By Frank B. Brouillet Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-137-020. NONRESIDENT STU-DENTS UNDER THE AGE OF TWENTY-ONE MUTUAL AGREEMENT BETWEEN RESIDENT AND NONRESIDENT DISTRICTS REQUIRED. (1) A nonresident student who is under the age of twentyone may be admitted by a nonresident district only pursuant to an agreement between the student's resident district and the nonresident district or pursuant to an order of the ((state board of education made pursuant to chapter 66, Laws of 1975, 1st ex. sess)) superintendent of public instruction pursuant to RCW 28A.58.242 and chapter 392-183 WAC. In the event the student is considered to be a resident of more than one district pursuant to the definition of "resident student" set forth in WAC 392-137-010(2), the agreement shall be between the nonresident district and the district in which the student was last enrolled and is considered to be a resident.

- (2) A student's attendance shall be credited in all cases to the school district of enrollment unless:
- (a) The superintendent of public instruction is notified by order of the board of directors of a student's resident district provided for in subsection (1) that the student is attending a nonresident district without authorization pursuant to an agreement or order of the ((state board)) superintendent releasing the student, and
- (b) it is established that neither such an agreement nor order of the ((state board)) superintendent exists.
- (3) In the event it is so established that a student is enrolled in a nonresident district without authorization, equalization apportionment and other state payments in connection with the student's enrollment shall be discontinued until:
 - (a) The student enrolls in a resident district,
- (b) an agreement required by subsection (1) is entered into, or
- (c) the ((state board)) superintendent orders the release of the student.

WSR_78-08-035 ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 4-78—Filed July 18, 1978]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Old Capitol Bldg., Washington and Legion, Olympia, Washington, the annexed rules relating to the conditions, limitations and

procedures governing school district budgets set forth in chapter 392-123 WAC; including, but not limited to, the adoption of a new section recognizing that school districts may enter into five-year contracts in specified cases and requiring the adoption of a schedule in the budget for each fund setting forth data regarding such extended contracts.

This action is taken pursuant to Notice No. WSR 78-06-053 filed with the code reviser on 5/24/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.65-.465 and 28A.58.131 which directs that the Superintendent of Public Instruction has authority to implement the provisions of chapter 392-123 WAC.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 18, 1978.

By Frank B. Brouillet Superintendent of Public Instruction

IEW SECTION

WAC 392-123-165 CONTRACTUAL LIABILI-TY EXTENDING BEYOND END OF FISCAL PE-RIOD. The board of directors of any school district may enter into contracts for their respective districts for periods not exceeding five years in duration with public and private persons, organizations, and entities for the following purposes:

(1) To rent or lease building space, portable buildings, security systems, computers, and other equipment; and

(2) To have maintained and repaired security systems,

computers and other equipment.

The budget for each fund of each school district shall contain a schedule which identifies that portion of each contractual liability incurred pursuant to RCW 28A.58-.131 which extends beyond the fiscal period being budgeted. Said schedule shall list for each such contractual liability a brief description, the accounting code, the beginning and ending dates, the total dollar amount, and the estimated dollar amount extending beyond the end of the fiscal period being budgeted.

> WSR 78-08-036 **ADOPTED RULES**

SUPERINTENDENT OF PUBLIC INSTRUCTION [Order 5-78—Filed July 18, 1978]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Old Capitol Bldg., Washington and Legion, Olympia, Washington, the annexed rules relating to the conditions, limitations and procedures governing educational service district budgets set forth in chapter 392-125 WAC; including, but not limited to, the adoption of a new section recognizing that educational service districts may enter into five-year

contracts in specified cases and requiring the adoption of a schedule in the budget for each fund setting forth data regarding such extended contracts.

This action is taken pursuant to Notice No. WSR 78-06-052 filed with the code reviser on 5/24/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.65-465, 28A.21.135 and 28A.21.310 which directs that the Superintendent of Public Instruction has authority to implement the provisions of chapter 392-125 WAC.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 18, 1978.

By Frank B. Brouillet Superintendent of Public Instruction

NEW SECTION

WAC 392-125-080 CONTRACTUAL LIABILI-TY EXTENDING BEYOND END OF FISCAL PE-RIOD. The board of any educational district may enter into contracts for their respective districts for periods not exceeding five years in duration with public and private persons, organizations, and entities for the following

(1) To rent or lease building space, portable buildings, security systems, computers, and other equipment; and

(2) To have maintained and repaired security systems,

computers and other equipment.

The budget of each educational service district shall contain a schedule which identifies that portion of each contractual liability incurred pursuant to RCW 28A.21-.310 which extends beyond the fiscal period. Said schedule shall list for each such contractual liability a brief description, the accounting code, the beginning and ending dates, the total dollar amount, and the estimated amount extending beyond the end of the fiscal period being budgeted.

> WSR_78-08-037 ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION [Order 6-78-Filed July 18, 1978]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Old Capitol Bldg., Washington and Legion, Olympia, Washington, the annexed rules relating to the conditions, limitations and procedures set forth in chapter 392-164 WAC governing the distribution to and expenditure of federal Title I, Migrant Education funds to school districts and other local educational agencies including, but not limited to, the amendment of the definitions of "Agricultural activity" and "Migratory agricultural workers" as used in chapter 392-164 WAC for funding purposes.

This action is taken pursuant to Notice No. WSR 78-06-054 filed with the code reviser on 5/24/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Superintendent of Public Instruction as authorized in RCW 28A.03.030(1) and (3), 28A.02.100 and P.L. 82-750...

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 18, 1978.

By Frank B. Brouillet Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-164-015 DEFINITIONS. The following definitions shall apply to terms used in the goal statement: (1) "Agricultural activity" ((refers to a sequence of activities ranging from soil preparation through and including the storage, curing, canning, or freezing of cultivated crops. Activities on farms or ranches related to the production and processing of milk, poultry, livestock, and fish are also considered to be agricultural activities. Under the foregoing definition, cutting, transporting, and sawing of timber are not considered to be agricultural activities nor are the catching and processing of fish from streams and the ocean. Operations involved in forest nurseries and fish farms, however, are considered to be agricultural activities)) means:

(a) Any activity related to crop production (including preparing soil, storing, curing, canning or freezing of crops);

(b) Any activity related to the production and processing of milk, poultry, and livestock (for human consumption); and

(c) Any operation involved in forest nurseries and fish farms. The term does not include cutting, transporting, and sawing of timber.

(2) "Fishing activity" means any activity directly related to the catching and processing of fish and shellfish either for initial distribution through commercial market channels or as a primary means of personal subsistence.

(3) "Migratory agricultural workers" refers to those persons who have moved from one school district in a state to another in the same state or to one in another state for the purpose of finding temporary or seasonal employment in one or more agricultural activities as defined above.

(((3))) (4) "Former migratory child" refers to a child who, with the concurrence of his parents, is deemed to be a migratory child on the basis that he has been an interstate or intrastate migratory child as defined in this section but has ceased to migrate within the last five years and currently resides in an area where interstate and intrastate migratory children will be served.

 $((\frac{4}{)})$ (5) "Interstate migratory child" refers to a child who has moved with a parent or guardian within

the past year across the state boundaries in order that a parent, guardian, or member of his/her immediate family might secure temporary or seasonal employment in an agricultural activity.

(((5))) (6) "Intrastate migratory child" refers to a child who resides in a state full time and who has moved with a parent or guardian within the past year across school district boundaries within that state in order that a parent, guardian, or member of his/her immediate family might secure temporary or seasonal employment in an agricultural activity.

(((6))) (7) "Project" refers to those services, activities, personnel, and materials provided to migratory children in a particular area by a state educational agency either directly or indirectly through a particular local educational agency or other agency as a legally approved contract.

(((7))) (8) "Academic instruction" is defined as reading, oral language, language arts, mathematics, and other areas of basic skills instruction.

WSR 78-07-038
ADOPTED RULES
DEPARTMENT OF TRANSPORTATION
[Order 19—Filed July 18, 1978]

I, W. A. Bulley, Secretary of Department of Transportation, do promulgate and adopt at Room 1D9, Highway Administration Building, Olympia, the annexed rules relating to small business and minority contractors. Raises the limit on contract amounts from \$25,000.00 to \$50,000.00, amending chapter 252-50 WAC.

This action is taken pursuant to Notice No. WSR 78-06-090 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 47.28.030 which directs that the Department of Transportation has authority to implement the provisions of RCW 47.28.030.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 17, 1978.

By W. A. Bulley Secretary

AMENDATORY SECTION (Amending Order 154, filed 7/19/73)

WAC 252-50-010 GENERAL. To enable a greater number of small businesses and minority contractors to compete effectively for Washington State Department of ((Highway)) Transportation contracts the ((Commission)) secretary adopts the following rules and regulations in accordance with RCW 47.28.030 as amended by

chapter 116, Laws of 1973, and by chapter 225, Laws of 1977 ex. sess.

AMENDATORY SECTION (Amending Order 154, filed 7/19/73)

WAC 252-50-020 CALL FOR BIDS-TATION ON CONTRACT AMOUNT. (1) All contracts shall be awarded by competitive bidding to the extent that competitive bids are available except when delay of the work would jeopardize life or property or inconvenience the travelling public.

(2) Contracts may be awarded under these rules when the estimated cost of the work would not exceed ((twenty-five)) fifty thousand dollars (((\$25,000.00))).

AMENDATORY SECTION (Amending Order 154, filed 7/19/73)

PREQUALIFICATION-WAC 252-50-030 FORM OF BID—REQUIREMENTS. (1) A limited prequalification questionnaire shall be required assuring only that a prospective bidder is experienced in the type of work to be performed, that all equipment to be used is adequate and functioning, and that all equipment operators are qualified to operate such equipment.

(2) No bid proposal shall be accepted from a bidder who has not submitted a limited prequalification questionnaire, unless the bidder is currently prequalified with the ((Highway)) Department of Transportation.

(3) Prospective bidders shall be informed that advice and assistance relative to general bidding procedures are available in the office of the district ((Engineer)) administrator of the area where the work is to be performed.

(4) All bids shall be submitted on a standard bid proposal form.

(5) The successful bidder must comply with federal and state laws, applicable local laws and ordinances and applicable regulations which affect the performance of the contract.

> WSR 78-08-039 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance) [Filed July 18, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to public assistance, amending Title 388

Correspondence concerning this notice and proposed rules attached should be addressed to:

> David Hogan, Executive Assistant Department of Social and Health Services Mail Stop OB-44 C Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, September 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 13, 1978, and/or orally at 10:00 a.m., Wednesday, September 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

> Dated: July 17, 1978 By: David Hogan **Executive Assistant**

AMENDATORY SECTION (Amending Order 1112, filed 4/15/76)

WAC 388-81-040 FAIR HEARING. (1) Any applicant for or recipient of medical care provided under chapter 74.09 RCW who feels aggrieved by a decision rendered by the department has a right to a fair hearing as provided by chapter 388-08 WAC.

(2) When the fair hearing request calls into question a decision of a medical consultant or when eligibility is being determined in the federal aid medical care only or medical only programs, a prehearing review is the responsibility of the office of medical assistance.

(3) Chapter 388-08 WAC applies when a request for a fair hearing is related to medical care.

(4) The medical director or his designee shall review all fair hearing requests referred by the examiner to determine:

(a) Whether or not the appellant's request for service was filed according to the applicable rules and regulations,

(b) Whether or not the decisions have been made upon complete and accurate evaluation of the facts, existing standards, regulations, and

(5) All records and information necessary to determine the validity of the appellant's fair hearing request shall be furnished upon request to the reviewing authority and ((must be)) forwarded ((to him)) not later than ten days from such request.

(6) Upon receipt of the necessary material, evidence, or reports, the designated reviewing authority shall evaluate the appellant's request in accord with existing rules, regulations, and policies of the department. The reviewing authority:

(a) May reverse the decision when such adverse decision has been made contrary to rules, regulations and policies of the division.

(b) May resolve a situation resulting in the fair hearing request by adjustment.

(7) In providing a system for fair hearings for applicants or recipients of medical care, the rules in chapter 388-08 WAC and in WAC 388-81-040 shall be adhered to and, where appropriate, WAC 388-33-365 through 388-33-385 shall apply as construed to pertain to eligibility for medical care, change in circumstances (participation), reduction in the scope of care, termination and notice thereof and continuation of medical care pending a fair hearing decision.

AMENDATORY SECTION (Amending Order 1202, filed 4/1/77)

WAC 388-82-010 PERSONS ELIGIBLE FOR MEDICAL AS-SISTANCE. Medical assistance is provided for:

(1) A recipient of AFDC (including AFDC foster child) or beneficiary of supplemental security income who has applied for medical assistance((:));

(2) The essential person of a converted supplemental security income beneficiary as defined in WAC 388-92-070;

(3) A child, other than AFDC-FC foster child, for whom the department is making a foster care payment and who is determined eligible for medical assistance;

(4) An individual qualifying for the "H" federally aided category;

- (5) A recipient of general assistance who can be categorically related;
- (6) An individual who qualifies for federal aid medical care only (FAMCO) by meeting the eligibility standards in

(a) Chapter 388-83 WAC, and

- (b) WAC 388-24-040(1) through (7), 388-24-050(2) through (7), and 388-24-550, for aid to families with dependent children, except for WIN registration, or
- (c) Chapter 388-93 WAC for age, blindness or disability certified before January 1, 1974; or
- (d) Chapter 388-92 WAC for age, blindness or disability certified after January 1, 1974.

AMENDATORY SECTION (Amending Order 1203, filed 4/1/77)

WAC 388-82-030 STATE OF WASHINGTON RESIDENT REQUIRING CARE OUT-OF-STATE. (1) If a resident (child or adult) of the state of Washington is temporarily in another state and requires medical care, and the person is eligible for medical assistance (MA), the responsibility for medical care rests with the state of Washington. The standard of care will be comparable with that which is provided in the state of Washington (except that chiropractic out-of-state is confined to three treatments for acute and emergent conditions). Medical care provided to recipients traveling in Canada is restricted to recipients of MA and to the treatment of acute and emergent conditions only. Vendor billing for medical care received by recipients in Canada shall be processed in the same manner as other out-of-state billing.

- (2) Except as provided in subsection (3), admission to an out-of-state nursing home is considered as establishing residence outside this state, and the individual is ineligible for further medical care from the state of Washington.
- (3) If a situation arises indicating need for short-term convalescent nursing home care for an individual temporarily outside the state, a decision shall be secured from the state office of nursing home affairs before any commitment is made.
- (4) In border situations where necessary medical care is unavailable locally to state of Washington residents but is available in a bordering state or Canada, such care may be obtained outside the state of Washington, provided that comparable care cannot be obtained in a less distant area within the state of Washington. The approval of the medical consultant on the appropriate state form(s) is considered verification that such medical care is not available locally. This subsection does not apply to the situation in subsection (1) of this rule except that vendor billing for care received in Canada is the same.
- (5) In those instances where a provider in a border state situation has a current agreement with the state of Washington, the signature of the medical consultant is not required except for those situations listed in WAC 388-87-025(2)(a) through (p). These providers are located in ((areas)) cities such as, but not limited to, Astoria, Milton-Freewater, Hood River, Portland, and the Dalles. Oregon, and Lewiston and Sandpoint, Idaho. Providers in border states who have a current agreement with the state of Washington must comply with all Washington State statutes and department rules in the same manner as in-state providers.
- (6) Medical care under the state-financed medical care services (MS) program shall not be provided for Washington residents who are out of the state except for border situations described in subsection (4) of this rule.

AMENDATORY SECTION (Amending Order 1203, filed 4/1/77)

WAC 388-83-030 COMPUTATION OF AVAILABLE INCOME. (1) Income and net income shall be as defined in WAC 388-22-030.

- (a) Total income of a beneficiary of supplemental security income, except for institutionalized recipients, is not considered an available resource; see WAC 388-92-025(1)(a) for SSI-related recipients.
- (2) Net cash income shall be determined as for the federal aid category to which the FAMCO recipient is relatable according to WAC 388-28-515 through 388-28-580, except that:
- (a) Contrary to WAC 388-28-515(((4)(e)))(5) the cost of child care necessary to employment shall be deducted from earned income as an employment expense if such care is not provided without cost or as departmental service. The expense allowed shall be the actual cost but not to exceed the standard in WAC 388-15-170(((8)(a)))(5).

- (b) Contrary to WAC 388-28-570(6), earned income exemptions for applicants and recipients of medical assistance related to AFDC do not apply.
- (3) To arrive at available income, the following items shall be deducted from net income:
- (a) Support payments being paid by the applicant or recipient under court order,
- (b) Special nonmedical needs, such as payment to a wage earner's plan (specified by the court in a bankruptcy proceeding), or previously contracted major household repairs if failure to make such payments would result in garnishment of wages or loss of employment.

AMENDATORY SECTION (Amending Order 952, filed 7/6/74)

- WAC 388-85-020 REDETERMINATION OF ELIGIBILITY. (1) Eligibility for medical care shall be redetermined no less often than every six months for a recipient of federal aid medical care only, except that
- (a) for a recipient of FAMCO related to AFDC-E, eligibility shall be redetermined no less often than every three months (see WAC 388-83-027(5) for exception),
- (b) for a recipient in a skilled nursing home, psychiatric facility, state school for the retarded, intermediate care facility or tuberculosis sanatorium, eligibility shall be redetermined within one year.
- (2) Eligibility for a person receiving medical care and a grant shall be redetermined according to the policies and procedures for financial assistance specified in WAC ((388-30-125)) 388-38-280 through ((388-30-135)) 388-38-290.
- (3) Any person receiving medical care who comes into possession of property, resources, or income in excess of that amount previously declared, shall notify the department ((immediately)). (See WAC 388-38-255). Eligibility shall be redetermined within thirty days following an indication of a change in circumstances.

AMENDATORY SECTION (Amending Order 1196, filed 3/3/77)

WAC 388-86-067 MENTAL HEALTH CENTER SERVICES. (1) The department shall provide to a cash beneficiary under Title XVI, an eligible recipient of a continuing state or federal aid grant or federal aid medical care only, mental health services in a community mental health center. The services provided through these agencies are not subject to the limitation on the number of visits under the provisions of WAC 388-86-095(5).

- (2) Community mental health services provided shall be as specified in a contract between the department and the participating center.
- (3) For the purposes of this section, community mental health center shall mean an agency or program which meets the following criteria:
- (a) Is included as a part of the approved county mental health plan, or ((county drug treatment plan,)) is approved by the department to hold a subcontract from the area council on aging to provide day health care.
- (b) Receives state grant-in-aid funds as authorized by the Community Mental Health Services Act, chapter 71.24 RCW, and as described in WAC 275-25-030, or receives money through a contractual agreement with the area council on aging for the provision of day health care.
- (c) Provides mental health treatment by, or under the direction of, a licensed doctor of medicine who has sufficient knowledge of the caseload and clinical program to be assured that the quality of the mental health service is satisfactory.
 - (4) An agency or program must be either:
- (a) An outpatient clinic, with its own governing body, administration and staff, or
 - (b) A county-administered outpatient clinic, or
- (c) A separate identifiable outpatient clinic of a general hospital or psychiatric inpatient facility, or
- (d) An outpatient clinic with a residential component within its administrative structure, or
- (e) A separate identifiable outpatient clinical program of an agency which has other service functions.
- (5) Agencies which have functions in addition to outpatient mental health care (see items (4)(c), (d) and (e)) shall adhere to the following criteria:
- (a) Specific staff are delineated to provide outpatient clinical services exclusively.
- (b) Outpatient clinical records are separated from other service records of the agency,

- (c) The center's accounting and bookkeeping procedures are such that:
- (i) If the center has an existing contract, a review or audit finds that these procedures assure adequate fiscal accountability. Audits will be conducted by either the department or the office of the state auditor.
- (ii) If an agency is applying for a contract, the application will be ((accompanited)) accompanied by a statement from a licensed or certified public accountant reflecting the accountant's unqualified opinion of the adequacy, accuracy and accountability of the agency's records.

(6) The final decision regarding a mental health center's participation in this program shall be made by the department.

(7) Mental health service records-content:

An adequate clinical record shall be maintained for each eligible client receiving outpatient mental health services in a mental health center. The clinical records at a minimum shall contain the following:

- (a) History
- (b) Diagnostic/evaluative statements
- (c) Treatment plan
- (d) Treatment notes
- (e) Periodic treatment review
- (f) Documentation of case conferences
- (g) Clinical summaries on termination of service

(8) Subcontracts:

An agency which has a contract under this section shall not enter into subcontracts for any work agreed upon under the contract without obtaining prior written approval of the department from the office of medical assistance.

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

- WAC 388-86-095 PHYSICIANS' SERVICES. The department shall purchase the services of physicians participating in the program on a fee-for-service basis subject to the exceptions and restrictions listed below.
- (1) Physicians' services are provided through contract agreements for certain voluntary child care agencies and maternity homes according to WAC 388-86-105.
- (2) Cost of a physical examination is authorized only for recipients related to federal programs under the following circumstances:
- (a) For admission to skilled nursing facility if within 48 hours of admission or change of status from a private-pay to a medicaid-eligible patient((, see WAC 388-88-085(3))).
- (b) Given as a screening under the EPSDT program; see WAC 388-86-027.
- (c) For physical examination not covered by medicaid, see the following:
 - (i) AFDC incapacity, see WAC 388-24-065(3)(c)
- (ii) Determination of whether an individual's health will or will not permit his return to his home, see WAC 388-28-420(4)(b)
- (iii) Request by the claimant or examiner in a fair hearing procedure, see WAC 388-08-503
 - (iv) Foster home placement, see chapter 388-70 WAC
 - (v) Adoptive home placement, see WAC 388-70-440(d)
 - (vi) Employability for WIN program, see WAC 388-24-107(1)(b)
 - (vii) Incapacity for GAU program, see WAC 388-37-032(4).
- (3) Combined dosage immunizations are authorized only when not otherwise available through local health facilities at no cost or as part of EPSDT screening.
- (4) When covered services of a consultant or specialist are necessary, approval need not be obtained from the medical consultant. Payment shall be made in accordance with local medical bureau practices. A fee for consultation shall not be paid when the specialist subsequently performs surgery or renders treatment for which flat fees or fees-for-service accrue.
- (a) On initial or subsequent visits for the purpose of establishing a diagnosis and when services of a specialist or consultant are required, payment shall be limited to not more than two such services. Any additional specialist or consultant requests shall be justified by the attending physician and approved by the medical consultant.
 - (5) Limitations on payment for physicians' services:
- (a) Payment for physicians' calls for nonemergent conditions in the office, home, intermediate care facility, nursing home, or outpatient department of a hospital is limited to one call per month except for screening under the EPSDT program if such screening is an additional visit during the month. Requests for payment for additional visits must be justified on form DSHS 525-100 at the time the billing is submitted by the physician.

- (b) Payment for physicians' calls in a skilled nursing facility shall be limited to two calls per month. Requests for payment for additional visits must be justified on form DSHS 525-100 as in subdivision (5)(a).
- (c) Payment for treatment of new and acute conditions with necessary X-ray, laboratory and consultative services shall be limited to two calls. Requests for payment for additional calls must be justified on form DSHS 525-100.
- (d) On occasion, the physician may treat several members of a family in one office visit. An initial office fee is paid for the first member; payment for the remaining visits will be based on equitable adjustment determined by the medical director.
- (e) Payment for hospital calls is limited to one call per day. This is applicable to other than flat fee care.
- (f) Treatment for psychiatric or mental conditions by a psychiatrist shall be limited to one hour a month individual psychotherapy or equivalent combinations. When the individual is in an acute phase, however, up to a maximum of two hours psychotherapy may be authorized, when justified, during the first month of treatment. Subdivisions (5)(a) through (5)(e) also apply unless other rules take precedence. See WAC 388-86-067(1) for service provided by a contracting mental health center.
- (6) All surgical procedures require approval by the medical consultant.
- (a) Nonemergent surgical procedures require prior approval by the chief of the office of medical assistance or his designees, including medical consultants employed full time by the department. Minor surgery and diagnostic procedures performed in a physician's office do not require prior approval. Surgery for cosmetic and self-limiting conditions and CAT scans must have prior approval.
- (7) A recipient of public assistance is not required to obtain medical care in the county of his residence. (See also WAC 388-83-025.)
- (8) For limitations on out-of-state physicians' services see WAC 388-86-115.

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-86-100 SURGICAL APPLIANCES—PROSTHETIC DEVICES—AIDS TO MOBILITY. (1) The department shall authorize the purchase or rental of surgical appliances, prosthetic devices, aids to mobility and other durable medical equipment only when such items will

- (a) reduce the length of hospitalization,
- (b) aid the rehabilitation of an employable person,
- (c) enable the person to return to or continue to live in his own home,
- (d) be used full time by a nursing home patient who will benefit materially from its use,
 - (e) result in financial saving to the department.
- (2) No approval is required for the purchase of external braces involving the neck, trunk and extremities.
- (3) Other nonreusable items costing less than ((\$150)) one hundred fifty dollars do not require approval if provision of the appliance will expedite a recipient's release from a hospital.
- (4) Prior approval by the office of medical assistance is required for:
- (a) Purchase of reusable medical appliances and aids to mobility costing more than five hundred dollars,
- (b) Purchase of nonreusable surgical appliances or prosthetic devices costing more than five hundred dollars, except as described in subsection (2),
- (c) All other appliances, rentals and repairs require prior approval by the local medical consultant.
- (5) A recipient who has medicare Part B benefits must utilize this resource for the purchase or rental of any items provided by medicare. Payment of medicare coinsurance and deductibles will be made by the department for purchase of all medicare items ((costing more than five hundred dollars, except as described in subsection (2), must have prior approval of the office of medical assistance)).
- (6) Medical appliances purchased by the department become the property of the recipient.

AMENDATORY SECTION (Amending Order 264, filed 11/24/67)

WAC 388-86-110 X-RAY SERVICES. (1) Therapeutic x-rays (deep x-ray and related radiation treatment) will be provided when requested by the attending physician ((and approved in advance by the medical consultant)).

(2) Diagnostic and follow-up x-rays do not require the approval of the medical consultant, but films shall be made available to the consultant on request.

AMENDATORY SECTION (Amending Order 1233, filed 8/31/77)

WAC 388-87-005 PAYMENT—ELIGIBLE PROVIDERS DEFINED—GROUNDS FOR TERMINATING PARTICIPATION. (1) All providers of services under the department's medical care program shall agree to adhere to the department's rules and regulations and established fee or price schedules.

(2) Eligible providers are

(a) Persons currently licensed by the state of Washington to practice medicine, chiropractic, osteopathy, dentistry, optometry, or podiatry,

(b) Persons currently licensed by the state of Washington as professional or practical nurses, or as physical therapists,

(c) A hospital currently licensed by the department,

(d) A nursing home currently licensed and classified by the department as a skilled nursing or intermediate care facility,

(e) A licensed pharmacy,

- (f) A home health services agency certified by the department,
- (g) An independent (outside) laboratory qualified to participate under Title XVIII or determined currently to meet the requirements for such participation,
- (h) A company or individual (not excluded in subsection (3)) supplying items such as ambulance service, oxygen, eyeglasses, other appliances, or approved services,
- (((th)) (i) A provider of screening services that has signed an agreement with the department to provide such services to eligible individuals in the EPSDT program((:)),

(((i))) (j) A certified center for the detoxification of acute alcoholic conditions((:)),

(((j))) (k) An outpatient clinical community mental health center, drug treatment center or Indian health service clinic((:)),

(((k))) (1) An out-of-state provider of services (a) through (g) with comparable qualifications in state of residence or location of practice.

(3) Under the mandatory and discretionary provision of RCW 74-.09.530, ((and considering the limitation of available funds,)) the services of the following practitioners will not be furnished to applicants or recipients:

Sanipractors Naturopaths Homopathists Herbalists

Masseurs or manipulators

Christian Science practitioners or theological healers

Any other licensed or unlicensed practitioners not otherwise specifically provided for in these rules.

(4) Any violation of the department's rules and regulations or administrative policies by a provider eligible to receive payment for services may be considered grounds for terminating the provider's participation in the medical care program.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-87-100 PAYMENT——SPECIAL DUTY NURSING.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-90-005 SKILLED NURSING FACILITY CARE IN STATE SCHOOL FOR RETARDED PERSONS.

AMENDATORY SECTION (Amending Order 682, filed 5/10/72)

WAC 388-91-010 DRUGS—PERSONS ELIGIBLE. In accordance with the department's rules and regulations ((and within the limitation of available funds,)) drugs are provided for

(1) The necessary and essential medical care of recipients of continuing assistance and of recipients of federal aid medical care only (FAMCO);

- (2) The treatment of acute and emergent conditions of recipients of noncontinuing general assistance and of medical only who cannot be categorically related. These persons are identified by the notation "ACUTE/EMERGENT" on their medical identification coupons. All drugs provided to such recipients require the approval of the local office medical consultant.
- (3) Certain necessary drugs such as cardiac control agents, insulin and oral antidiabetic agents, anticonvulsant agents, urinary anti-infective agents, broncho-dilator agents and antineoplastics may be provided to recipients of noncontinuing general assistance and of medical only who have satisfied the \$100 deductible. All such drugs provided require approval of the local office medical consultant.

AMENDATORY SECTION (Amending Order 1227, filed 8/8/77)

WAC 388-92-025 COMPUTATION OF AVAILABLE IN-COME. (1) Income shall be defined as in WAC 388-92-005.

- (a) Total income of a beneficiary of supplemental security income, except for institutionalized recipients, is not considered an available resource.
- (b) Income and resources are considered separately for spouses who cease to live together in a common household, and blind or disabled children separated from parents, after the month of separation when the separated individual is the sole recipient related to SSI, and after six calendar month's separation if both spouses are SSI-related recipients.
- (c) If a minor applies for medical care the parent legally responsible for the support of the child is also by law financially responsible for the payment for medical provided to the child. In such case the standards in WAC 388-83-035 shall apply to determine available income to meet the medical needs of the child. See also WAC 388-24-550.

(d) For a pregnant minor see WAC 388-82-015.

- (2) Net cash income shall be determined as for the Title XVI category to which the applicant for FAMCO is relatable according to WAC 388-92-015(4).
- (3) To arrive at available income, the following items shall be excluded sequentially from income:
- (a) Any amount received from any public agency as a return or refund of taxes paid on real property or on food purchased by such individual or spouse;
 - (b) State public assistance based on financial need;
- (c) Any portion of any grant, scholarship, or fellowship received for use in paying the cost of tuition and fees at any educational institution;
- (d) Income that is not reasonably anticipated, or received infrequently or irregularly, if such income does not exceed ((\$20)) twenty dollars per month if unearned, or ((\$10)) ten dollars per month if earned;
- (e) Any amounts received for the foster care of a child, who is not an eligible individual, but who is living in the same house as such individual and was placed in such home by a public or nonprofit private child-placement or child-care agency;
- (f) The first ((\$\frac{\pmathcal{20}}{20})) twenty dollars per month of earned or unearned income, not otherwise excluded above, for a person at home. The exclusion is considered only once for a husband and wife. There is no exclusion on income which is paid on the basis of need of the eligible individual, such as VA pension and cash from private charitable organizations. For a person in an institution, the exclusion is considered in determining eligibility and allocated as participation in cost of medical care((:));
- (g) Tax exempt payments received by Alaska Natives under the Alaska Native Claims Settlement Act((;));
- (h) Tax rebates or special payments exempted by federal regulations and publicized by numbered memoranda from the state office((:));
- (i) Compensation provided to volunteers in ACTION programs established by Public Law 93-113, the Domestic Volunteer Service Act of 1973.
- (4) An individual under the age of ((21)) twenty-one who is a student regularly attending a school, college or university or pursuing a course of vocational or technical training designed to prepare him for gainful employment will have all earned income excluded.
- (5) One-third of any payment for child support received from an absent parent will be excluded.
- (6) Earned income "disregards" to be applied sequentially against the remaining income of recipients at home shall be
 - (a) If such individual is blind and under age ((65)) sixty-five:
- (i) The first ((\$85)) eighty-five dollars per month of earned income not excluded according to subsection (3), plus one-half of the remainder;

- (ii) The expenses reasonably attributable to the earning of any income as defined in subsection (7).
- (b) If such an individual is disabled but not blind and is under age

((65)) sixty-five:

- (i) The first ((\$65)) sixty-five dollars per month of earned income not excluded according to subsection (3), plus one-half of the remainder:
- (ii) The expenses reasonably attributable to the earning of any income as defined in subsection (7).

(c) If such an individual is age ((65)) sixty-five or over:

- (i) The first ((\$65)) sixty-five dollars per month of earned income not excluded according to subsection (3), plus one-half the remainder;
- (ii) The expenses reasonably attributable to the earning of any in-

come as defined in subsection (7).

- (d) If a spouse of the individual in subdivisions (6)(a)(b) or (c) applies in his or her own right and can meet the appropriate criteria under Title XVI, the "disregards" are considered only once for the husband and wife.
- (7) To arrive at net income of nonapplying spouse, the following personal and nonpersonal work expenses shall be deducted from earned income:
- (a) Mandatory deductions as required by law or as a condition of employment;
- (b) Necessary cost of public transportation or eight cents a mile for private car to and from place of employment;
- (c) Expenses of employment which are necessary to that employment such as tools, materials, union dues;
- (d) Additional clothing costs: For individual ((18)) eighteen years or older, ((\$5.70)) five dollars and seventy cents; for persons enrolled in a remedial education or vocational training course, the actual cost of uniforms and/or special clothing;
- (e) The cost of child care necessary to employment if not provided without cost or as departmental service. The actual expense shall be deducted but not to exceed standard in WAC 388-15-170.

AMENDATORY SECTION (Amending Order 898, filed 1/25/74)

WAC 388-92-035 MONTHLY MAINTENANCE STAND-ARD—PERSON IN INSTITUTION. The monthly maintenance amount for aged, blind, and disabled individuals receiving continuous care throughout a calendar month in a hospital, skilled nursing home, intermediate care facility or institution for mental disease, who are covered under Title XIX, shall be the amount allowed for medicaid recipients related to Title XVI for clothing and personal incidentals. For a person in an institution, income exclusions and disregards are allocated as participation in cost of medical care. For definition of institution see WAC (({388-92-005})) 388-92-005.

AMENDATORY SECTION (Amending Order 1111, filed 4/15/76)

WAC 388-92-060 AUTHORIZATION. (1) Initial certification

(a) If the individual is in an institution, certification may be up to one year.

- (b) All other individuals are certified when their eligibility for medical assistance has been determined, depending upon the anticipated duration of medical need, but not to exceed six months.
- (2) Redetermination of eligibility. Eligibility for medical assistance shall be redetermined no less often than every six months for an individual outside an institution or yearly, if in an institution.
- (3) Change of circumstances. Any person certified for medical assistance who comes into possession of any income or resources, not otherwise declared, ((or)) whose medical eligibility ((or need)) ceases, or who has other changes which affect continuing eligibility shall notify the department ((immediately)). (See WAC 388-38-255.) Eligibility shall be redetermined within ((30)) thirty days following such notification.
- (4) Notification of decision. A person shall be notified in writing on the appropriate state form when his eligibility for medical assistance is initially certified, redetermined or when there is any change in circumstances.

WSR 78-08-040 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance) [Filed July 18, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning patient care cost area rate, amending WAC 388-96-722.

It is the intention of the Department to file these rules on an emergency basis prior to the hearing.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant Department of Social and Health Services Mail Stop OB-44 C Olympia, WA 98504;

that such agency will at 10:00 a.m., Monday, September 11, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Friday, September 15, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 18.51.310 and 74.09.120.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 11, 1978, and/or orally at 10:00 a.m., Monday, September 11, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: July 17, 1978

By: David Hogan

Executive Assistant

AMENDATORY SECTION (Amending Order 1300, filed 6/2/78)

WAC 388-96-722 PATIENT CARE COST AREA RATE. (1) The patient care cost area reimbursement rate will be computed to cover the necessary and ordinary costs of providing routine services and supplies to recipients in accordance with WAC 388-88-050 and 388-88-051.

(2) The regression equation used in the patient care cost area will contain weights for the following four factors:

(a) Locality of the facility. This factor adjusts the base cost to provide for local market conditions. Facility location will be considered "urban" if it is in one of the four Standard Metropolitan Statistical Areas (SMSA). It will be considered "rural" if it is not in an SMSA. SMSA areas are those established in the 1970 census for the state of Washington.

(b) Type of facility. This factor adjusts the base cost to provide for the effect institutional requirements have on patient care costs. Facilities such as hospitals and other institutions which are certified providers but not licensed as nursing homes will be distinguished from facilities whose primary mission is the delivery of nursing home care.

(c) Characteristics of patients in the facility, as determined by the department. This factor adjusts the base cost to provide for the effect patient mix has on patient care costs. ((From January 1, 1978 through June 30, 1978, this factor will be the ratio of the number of SNF patients to the total number of patients in each facility for purposes of the regression analysis. In computing an individual facility's rate for that period, it will be the ratio of the number of SNF recipients to the total number of recipients in the facility. On and after July 1, 1978,

this factor will be derived using a uniform patient assessment performed by the department:)) It will consist of the average functional status score of medical care recipients in the facility. Data will cover all recipients assessed in time to be included in the analysis. The most recent assessment data collected on each recipient will be used. The functional status score will be determined using the Katz ADL Scale.

(d) Number of floors of the facility. This factor adjusts the base cost to provide for the effect of physical plant differences on patient care costs. Data will be derived from inspection records in the state fire

marshal's office.

(3) In addition to its reimbursement rate, each contractor will be assigned a range of nursing service hours which represent the maximum and minimum number of hours the department will purchase. For purposes of this hour range for IMR facilities, nursing services include residential living services. The range will depend on the characteristics of the patients in each facility. From January 1, 1978 through ((June 30, 1978,)) December 31, 1978, it will be computed based on the ratio of the number of SNF, ICF and IMR patients of each level, respectively, to the total number of patients in the facility, assuming a range of 1-2 hours for ICF patients, 1.75 - 3 hours for SNF patients, 3.1 - 6.1 for IMR level A patients, 2.7 - 5.4 for IMR level B patients, 2.1 - 3.6 for IMR level C patients, and 1.2 - 2.4 for IMR level D patients. On and after ((July 1, 1978,)) January 1, 1979, this range will be derived using a uniform patient assessment performed by the department. When the certification of a contractor is changed to add or eliminate a level of care, the range will be adjusted using the ratio of patients in each level of care at the time the new certification becomes effective. When the department requires new standards or makes program changes which require more or less nursing service, the range will be adjusted as of the effective date of the new standard or program change.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-08-041 EMERGENCY RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance)
[Order 1317—Filed July 18, 1978]

- I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to patient care cost area rate, amending WAC 388-96-722.
- I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is considering the provisions of RCW 18.51.310 (SHB 348), a June 29, 1978 Thurston County Superior Court ordered immediate integration of patient assessment into the rate-setting process.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 18.51.310 and 74.09.120 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 17, 1978.

By David Hogan Executive Assistant

AMENDATORY SECTION (Amending Order 1300, filed 6/2/78)

WAC 388-96-722 PATIENT CARE COST AREA RATE. (1) The patient care cost area reimbursement rate will be computed to cover the necessary and ordinary costs of providing routine services and supplies to recipients in accordance with WAC 388-88-050 and 388-88-051.

- (2) The regression equation used in the patient care cost area will contain weights for the following four factors:
- (a) Locality of the facility. This factor adjusts the base cost to provide for local market conditions. Facility location will be considered "urban" if it is in one of the four Standard Metropolitan Statistical Areas (SMSA). It will be considered "rural" if it is not in an SMSA. SMSA areas are those established in the 1970 census for the state of Washington.
- (b) Type of facility. This factor adjusts the base cost to provide for the effect institutional requirements have on patient care costs. Facilities such as hospitals and other institutions which are certified providers but not licensed as nursing homes will be distinguished from facilities whose primary mission is the delivery of nursing home care.
- (c) Characteristics of patients in the facility, as determined by the department. This factor adjusts the base cost to provide for the effect patient mix has on patient care costs. ((From January 1, 1978 through June 30, 1978, this factor will be the ratio of the number of SNF patients to the total number of patients in each facility for purposes of the regression analysis. In computing an individual facility's rate for that period, it will be the ratio of the number of SNF recipients to the total number of recipients in the facility. On and after July 1, 1978, this factor will be derived using a uniform patient assessment performed by the department.)) It will consist of the average functional status score of medical care recipients in the facility. Data will cover all recipients assessed in time to be included in the analysis. The most recent assessment data collected on each recipient will be used. The functional status score will be determined using the Katz ADL Scale.
- (d) Number of floors of the facility. This factor adjusts the base cost to provide for the effect of physical plant differences on patient care costs. Data will be derived from inspection records in the state fire marshal's office.
- (3) In addition to its reimbursement rate, each contractor will be assigned a range of nursing service hours which represent the maximum and minimum number of hours the department will purchase. For purposes of this hour range for IMR facilities, nursing services include residential living services. The range will depend on the characteristics of the patients in each facility. From January 1, 1978 through ((June 30, 1978,)) December 31, 1978, it will be computed based on the ratio of the number of SNF, ICF and IMR patients of each level,

respectively, to the total number of patients in the facility, assuming a range of 1-2 hours for ICF patients, 1.75 - 3 hours for SNF patients, 3.1 - 6.1 for IMR level A patients, 2.7 - 5.4 for IMR level B patients, 2.1 - 3.6for IMR level C patients, and 1.2 - 2.4 for IMR level D patients. On and after ((July 1, 1978,)) January 1, 1979, this range will be derived using a uniform patient assessment performed by the department. When the certification of a contractor is changed to add or eliminate a level of care, the range will be adjusted using the ratio of patients in each level of care at the time the new certification becomes effective. When the department requires new standards or makes program changes which require more or less nursing service, the range will be adjusted as of the effective date of the new standard or program change.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-08-042 EMERGENCY RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance)
[Order 1318—Filed July 18, 1978]

I, David Hogan, Executive Assistant of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to funeral expense, amending chapter 388-42 WAC.

I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is these rule changes are mandated by the 1977 Budget Act to be effective July 1, 1978.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule—making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 17, 1978.

By David Hogan Executive Assistant

AMENDATORY SECTION (Amending Order 612, filed 9/27/71)

WAC 388-42-020 FUNERAL EXPENSES—— DEFINITIONS AND STANDARDS. (1) "Funeral" shall mean the proper preparation and care of the remains of a deceased person with needed facilities and appropriate memorial services, including necessary costs of a lot or cremation and all services related to interment and the customary memorial marking of a grave. ((However, the department shall not authorize payment for more than the cost of a standard cremation service unless there are bona fide religious objections to cremation.

- (a) The funeral services which can be approved for the "cost of a standard cremation service" are funeral director's services as described in subsection (3)(a) and either cemetery services as described in subsection (5) or cremation services as described in subsection (6).
- (b) The funeral services which shall be approved when an affidavit declaring bona fide religious objection is filed and approved by the local office shall be the funeral director's services described in subsection (3)(b) and either cemetery services as described in subsection (5) or cremation services as described in subsection (6):
 - (2) Bona fide religious objections
- (a) If it can be established through a valid will or other written document that the decedent had religious objections to cremation or that he desired cremation, his wishes will be respected regardless of objections of any surviving relatives.
- (b) If no such document is available, any knowledgeable person may file an affidavit, stating that within his own knowledge the decedent had personal religious objections to cremation, giving the basis for such knowledge. If the decedent's wishes cannot be established, as above indicated, religious objections can be shown by the filing of an affidavit stating such objections by the spouse, children, parents or siblings of the deceased, in that order. This means that children can object only if there is no surviving spouse or the spouse is not reasonably available, likewise, only if there are no surviving children or they are not reasonably available can the parents object, and so forth through the order. This relative need not necessarily be the applicant for the burial.
- (c) When there is no religious objection to cremation no affidavit is necessary. In these instances the minimum service allowed in WAC 388-42-020(3)(a) and the charges in WAC 388-42-150(1)(a) and (2) are the maximum allowed.
 - (3) Minimum standard for funeral director's services
- (a) When the department does not receive an affidavit declaring religious objection to cremation, the services shall be limited to those which are necessary for the transportation of the body from place of death to mortuary, proper preparation and care of the remains of a deceased person for immediate disposition either by cremation or burial, preparation and filing of death certificate and permits; a wooden container of sufficient durability to transport the remains from the funeral home to the crematory or cemetery, transportation of the remains from the funeral director's staff and facilities, when requested, for a memorial service.
- (b) When the department receives a written affidavit from the applicant which evidences bona fide religious objections to cremation as described in subsection (2),

the services shall consist of: service car (first call); embalming and care of body, casket, octagon shape cut panel board top, or square and with raised top, covered with crepe or flannel cloth, trimmed with full art lining and six bail handles, use of reposing rooms, chapel, casket coach, one car for family and personal services.

- (4) Cost of funeral director's services refers to the funeral director's charges for all goods and services provided by him, including all items specified in the department's minimum standard. The cost of the services and goods provided by the funeral director for a standard cremation service shall not exceed the standard in WAC 388-42-150(1)(a).
- (a) When bona fide religious objections to cremation are filed, the cost of the services and goods provided by the funeral director shall not exceed the standard in WAC 388-42-150(1)(b).
- (5) "Cemetery services" includes burial plot, if not previously provided, minimum grave marker, opening and closing grave, liner, and endowed care if either or both are required. Cost of the lot purchased within thirty days prior to the burial of the deceased will be included in cemetery costs. Cemetery costs shall be paid not to exceed the standard in WAC 388-42-150(2).

Items available under a prepaid burial plan shall be utilized for the purpose intended. The original cost of current market value of the prepaid items or service need not be computed.

- (6) *Cremation services* includes cremation, urn-(metal or other substantial material); marker, space for disposition of the remains either in a mausoleum or cemetery, and charge for depositing cremated remains. Cremation costs shall not exceed the standard in WAC 388-42-150(2).))
- (2) Two types of funeral services shall be available: A regular service and a minimum service.
 - (a) The minimum service shall include:
- (i) Transportation of the body from place of death to mortuary,
- (ii) Proper preparation and care of the remains of the deceased person for immediate disposition by cremation or burial;
- (iii) Preparation and filing of death certificate and permits;
- (iv) A wooden container of sufficient durability to transport the remains from the mortuary to the crematorium or cemetery;
- (v) Transportation of the remains from the mortuary to the crematorium or cemetery;
- (vi) Use of the funeral director's staff and facilities when requested for a memorial service,
- (vii) The cost for these services shall not exceed the standard in WAC 388-42-150(1)(a).
- (b) The regular service shall include all the services of the minimum service plus:
 - (i) Service car (first call);
 - (ii) Embalming and care of the body,
- (iii) Casket of octagon shape cut panel board top, or square with raised top, covered with crepe or flannel cloth, trimmed with full art lining and six bail handles;
- (iv) Use of reposing rooms, chapel, casket coach, one car for family and personal services;

- (v) The cost of these services shall not exceed the standard in WAC 388-42-150(1)(b).
- (3) Payment for the regular service shall be authorized only upon request by someone who wishes the deceased to have a regular funeral service and who plans to attend the service. Otherwise, only the minimum service shall be authorized.
- (4) Disposition of the body shall be by cremation or burial.
 - (a) Burial services shall include:
 - (i) Burial plot if not previously provided;
 - (ii) Minimum grave marker,
- (iii) Liner and endowed care if either or both are required;
- (iv) Cost of the lot purchased within thirty days prior to burial shall be included in cemetery costs;
 - (v) Opening and closing grave,
- (vi) Items available under a prepaid plan shall be utilized for the purpose intended. The original cost or current market value of the prepaid items or service need not be computed;
- (vii) The cost of burial services shall not exceed the standard in WAC 388-42-150(2)(a).
 - (b) Cremation services shall include:
 - (i) Cremation;
 - (ii) An urn of metal or other substantial material;
 - (iii) Marker,
- (iv) Space for disposition of the remains either in a mausoleum or cemetery,
 - (v) Disposition of cremated remains,

(vi) Costs for cremation services shall not exceed the standard in WAC 388-42-150(2)(b).

(((7))) (5) The local office shall not authorize nor shall the funeral director, cemetery or crematory accept any supplemental payment for goods and services furnished in excess of the department's ((minimum)) standard. Donated flowers, music and ministerial service shall not be considered as supplementation. However, if these services are provided by the funeral director they are considered as part of the funeral director's services and their cost must be included in the department's ((minimum)) standard.

AMENDATORY SECTION (Amending Order 612, filed 9/27/71)

WAC 388-42-030 FUNERAL EXPENSES—ELIGIBILITY STANDARDS. (1) Public assistance funds may be used to pay for the funeral expenses of a deceased person to the extent his estate and available resources (including contributions from spouse, relatives, friends, or other sources) are not wholly sufficient to defray the funeral expenses according to department policies and standards in WAC 388-42-020 and ((WAC)) 388-42-150 and when the conditions in this section are met.

- (2) Neither funeral, nor cemetery, nor crematorium costs shall be paid by the department when;
- (a) Charges for any of these services exceed any one of the maximum standards in WAC 388-42-150, or when
- (b) The funeral, burial or cremation takes place outside the state of Washington. However, exception to

out-of-state payment rule is made for funerals in areas in bordering states which are normal trade areas of a border area of this state.

(3) Funeral costs ((are)) shall be paid only when authorized in writing on form 14PA20 by the ((LO)) ESSO prior to the funeral services and burial or cremation unless for religious reasons the body must be disposed of immediately and it is not possible to apply before the funeral. In such case, application must be made on the first working day after the funeral.

(4) All assets of the deceased are considered available for funeral expenses. However, if the deceased was a public assistance recipient when he died, assets left to a surviving spouse and/or minor children are considered

according to WAC 388-42-100.

(5) All assets of a surviving spouse or surviving parents of a minor child are considered available for funeral expenses except those resources which are exempt for a public assistance applicant and income needed to meet the monthly maintenance needs of the surviving individual and his dependents computed according to the department's continuing assistance standards.

(6) Persons applying for funeral expenses shall be required to apply for any death benefits to which the deceased may be entitled from other public or private agencies or organization. Exceptions in WAC 388-42-070 on social security death benefit and in WAC 388-42-080 on railroad retirement death benefit should be

carefully observed.

(7) When a body is claimed for scientific purposes no funeral expenses shall be authorized for payment from public assistance funds.

(8) Funeral expenses for a deceased inmate of a state institution may be paid providing all funeral rules are met. Any funds of the deceased held by the institution, as well, as the resources described in subsections (4) and (5), shall be taken into consideration in determining the amount to be paid by the department.

AMENDATORY SECTION (Amending Order 1247, filed 10/10/77)

WAC 388-42-150 ((FUNERAL EXPENSES)) MAXIMUM COST STANDARDS FOR FUNERAL DIRECTOR'S SERVICES((, CEMETERY)) AND BURIAL OR CREMATION ((EXPENSES)) SERVICES. (1) Funeral director's ((charges)) services—Actual charges, but not to exceed

(a) ((Standard cremation)) Minimum service
Adult or older child ((or adult (wood-

en container)) (casket 5 feet or

larger) (casket 5 feet of \$\(\frac{192}{192}\))203

Child (((wooden container)) casket 2

feet 6 inches, less than $\overline{5}$ feet) \$((150))158

Child (((wooden container)) casket

less than 2 feet 6 inches) \$ ((72))76

(b) Regular service

Adult or older child ((or adult)) (cas-

ket 5 feet or larger) \$((440))464

Child (casket 2 feet 6 inches, less than

5 feet) \$((185))<u>195</u>

Child (casket less than 2 feet 6 inches) \$ ((72))76

(2) ((Cemetery or cremation—actual charges, but not to exceed \$215 if charges for a burial place are included. If the burial place is not required, the maximum shall be \$208. When two or more bodies are buried in one grave, the cost of the first burial including the lot will be \$215. Each additional burial in the same lot will be \$208.))

Burial or cremation services

(a) Burial only	\$208
Burial in grave of another	\$208
Burial with lot included	
(b) Cremation only	\$208
Cremation with burial place included	\$215

(3) These standards include all applicable taxes.

(4) These standards shall be effective July 1, ((1977)) 1978.

WSR 78-08-043 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance) [Filed July 18, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to funeral expense, amending chapter 388–42 WAC.

It is the intention of the Department to file these rules on an emergency basis prior to the hearing.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan
Executive Assistant
Department of Social and Health Services
Mail Stop OB-44 C
Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, September 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 13, 1978, and/or orally at 10:00 a.m., Wednesday, September 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: July 17, 1978

By: David Hogan

Executive Assistant

AMENDATORY SECTION (Amending Order 612, filed 9/27/71)

WAC 388-42-020 FUNERAL EXPENSES-DEFINITIONS AND STANDARDS. (1) "Funeral" shall mean the proper preparation and care of the remains of a deceased person with needed facilities and appropriate memorial services, including necessary costs of a lot or cremation and all services related to interment and the customary memorial marking of a grave. ((However, the department shall not authorize payment for more than the cost of a standard cremation service unless there are bona fide religious objections to cremation:

(a) The funeral services which can be approved for the "cost of a standard cremation service" are funeral director's services as described in subsection (3)(a) and either cemetery services as described in subsection (5) or cremation services as described in subsection (6).

(b) The funeral services which shall be approved when an affidavit declaring bona fide religious objection is filed and approved by the local office shall be the funeral director's services described in subsection (3)(b) and either cemetery services as described in subsection (5) or cremation services as described in subsection (6).

(2) Bona fide religious objections

(a) If it can be established through a valid will or other written document that the decedent had religious objections to cremation or that he desired cremation, his wishes will be respected regardless of objections of any surviving relatives.

(b) If no such document is available, any knowledgeable person may file an affidavit, stating that within his own knowledge the decedent had personal religious objections to cremation, giving the basis for such knowledge. If the decedent's wishes cannot be established, as above indicated, religious objections can be shown by the filing of an affidavit stating such objections by the spouse, children, parents or siblings of the deceased, in that order. This means that children can object only if there is no surviving spouse or the spouse is not reasonably available; likewise, only if there are no surviving children or they are not reasonably available can the parents object, and so forth through the order. This relative need not necessarily be the applicant for the burial.

(c) When there is no religious objection to cremation no affidavit is necessary. In these instances the minimum service allowed in WAC 388-42-020(3)(a) and the charges in WAC 388-42-150(1)(a) and (2) are the maximum allowed.

(3) Minimum standard for funeral director's services

(a) When the department does not receive an affidavit declaring religious objection to cremation, the services shall be limited to those which are necessary for the transportation of the body from place of death to mortuary; proper preparation and care of the remains of a deceased person for immediate disposition either by cremation or burial; preparation and filing of death certificate and permits; a wooden container of sufficient durability to transport the remains from the funeral home to the crematory or cemetery, transportation of the remains from the funeral home to the crematory or cemetery; use of the funeral director's staff and facilities, when requested, for a memorial

(b) When the department receives a written affidavit from the applicant which evidences bona fide religious objections to cremation as described in subsection (2), the services shall consist of: service car (first call); embalming and care of body; casket, octagon shape cut panel board top, or square and with raised top, covered with crepe or flannel cloth, trimmed with full art lining and six bail handles; use of reposing rooms, chapel, casket coach, one car for family and personal scrvices.

(4) "Cost of funeral director's services" refers to the funeral director's charges for all goods and services provided by him, including all items specified in the department's minimum standard. The cost of the services and goods provided by the funeral director for a standard cremation service shall not exceed the standard in WAC 388-42-150(1)(a).

(a) When bona fide religious objections to cremation are filed, the cost of the services and goods provided by the funeral director shall not exceed the standard in WAC 388-42-150(1)(b).

(5) "Cemetery services" includes burial plot, if not previously provided, minimum grave marker, opening and closing grave, liner, and endowed care if either or both are required. Cost of the lot purchased within thirty days prior to the burial of the deceased will be included in cemetery costs. Cemetery costs shall be paid not to exceed the standard in WAC 388-42-150(2).

Items available under a prepaid burial plan shall be utilized for the purpose intended. The original cost of current market value of the prepaid items or service need not be computed.

- (6) "Cremation services" includes cremation; urn (metal or other substantial material); marker; space for disposition of the remains cither in a mausoleum or cemetery; and charge for depositing cremated remains. Cremation costs shall not exceed the standard in WAC 388-42-150(2).))
- (2) Two types of funeral services shall be available: A regular service and a minimum service.

(a) The minimum service shall include:

- (i) Transportation of the body from place of death to mortuary;
- (ii) Proper preparation and care of the remains of the deceased person for immediate disposition by cremation or burial

(iii) Preparation and filing of death certificate and permits;

- (iv) A wooden container of sufficient durability to transport the remains from the mortuary to the crematorium or cemetery;
- (v) Transportation of the remains from the mortuary to the crematorium or cemetery;
- (vi) Use of the funeral director's staff and facilities when requested for a memorial service;
- (vii) The cost for these services shall not exceed the standard in WAC 388-42-150(1)(a).
- (b) The regular service shall include all the services of the minimum service plus:

(i) Service car (first call);

(ii) Embalming and care of the body;

- (iii) Casket of octagon shape cut panel board top, or square with raised top, covered with crepe or flannel cloth, trimmed with full art lining and six bail handles;
- (iv) Use of reposing rooms, chapel, casket coach, one car for family and personal services;
- (v) The cost of these services shall not exceed the standard in WAC 388-42-150(1)(b).
- (3) Payment for the regular service shall be authorized only upon request by someone who wishes the deceased to have a regular funeral service and who plans to attend the service. Otherwise, only the minimum service shall be authorized.
 - (4) Disposition of the body shall be by cremation or burial.

(a) Burial services shall include:

(i) Burial plot if not previously provided;

(ii) Minimum grave marker;

(iii) Liner and endowed care if either or both are required;

(iv) Cost of the lot purchased within thirty days prior to burial shall be included in cemetery costs;

(v) Opening and closing grave;

(vi) Items available under a prepaid plan shall be utilized for the purpose intended. The original cost or current market value of the prepaid items or service need not be computed;

(vii) The cost of burial services shall not exceed the standard in WAC 388-42-150(2)(a).

(b) Cremation services shall include:

(i) Cremation;

(ii) An urn of metal or other substantial material; (iii) Marker;

(iv) Space for disposition of the remains either in a mausoleum or cemetery;

(v) Disposition of cremated remains;

(vi) Costs for cremation services shall not exceed the standard in WAC 388-42-150(2)(b).

(((7))) (5) The local office shall not authorize nor shall the funeral director, cemetery or crematory accept any supplemental payment for goods and services furnished in excess of the department's ((minimum)) standard. Donated flowers, music and ministerial service shall not be considered as supplementation. However, if these services are provided by the funeral director they are considered as part of the funeral director's services and their cost must be included in the department's ((minimum)) standard.

AMENDATORY SECTION (Amending Order 612, filed 9/27/71)

WAC 388-42-030 FUNERAL EXPENSES----ELIGIBILITY STANDARDS. (1) Public assistance funds may be used to pay for the funeral expenses of a deceased person to the extent his estate and available resources (including contributions from spouse, relatives, friends, or other sources) are not wholly sufficient to defray the funeral expenses according to department policies and standards in WAC 388-42-020 and ((WAC)) 388-42-150 and when the conditions in this section are met.

(2) Neither funeral, nor cemetery, nor crematorium costs shall be paid by the department when;

- (a) Charges for any of these services exceed any one of the maximum standards in WAC 388-42-150, or when
- (b) The funeral, burial or cremation takes place outside the state of Washington, However, exception to out-of-state payment rule is made for funerals in areas in bordering states which are normal trade areas of a border area of this state.
- (3) Funeral costs ((are)) shall be paid only when authorized in writing on form 14PA20 by the ((LO)) ESSO prior to the funeral services and burial or cremation unless for religious reasons the body must be disposed of immediately and it is not possible to apply before the funeral. In such case, application must be made on the first working day after the funeral.

(4) All assets of the deceased are considered available for funeral expenses. However, if the deceased was a public assistance recipient when he died, assets left to a surviving spouse and/or minor children are considered according to WAC 388-42-100.

(5) All assets of a surviving spouse or surviving parents of a minor child are considered available for funeral expenses except those resources which are exempt for a public assistance applicant and income needed to meet the monthly maintenance needs of the surviving individual and his dependents computed according to the department's continuing assistance standards.

(6) Persons applying for funeral expenses shall be required to apply for any death benefits to which the deceased may be entitled from other public or private agencies or organization. Exceptions in WAC 388-42-070 on social security death benefit and in WAC 388-42-080 on railroad retirement death benefit should be carefully observed.

(7) When a body is claimed for scientific purposes no funeral expenses shall be authorized for payment from public assistance funds.

(8) Funeral expenses for a deceased inmate of a state institution may be paid providing all funeral rules are met. Any funds of the deceased held by the institution, as well, as the resources described in subsections (4) and (5), shall be taken into consideration in determining the amount to be paid by the department.

AMENDATORY SECTION (Amending Order 1247, filed 10/10/77)

WAC 388-42-150 ((FUNERAL EXPENSES—))MAXI-MUM COST STANDARDS FOR FUNERAL DIRECTOR'S SER-VICES((, CEMETERY)) AND BURIAL OR CREMATION ((EXPENSES)) SERVICES. (1) Funeral director's ((charges)) ser--Actual charges, but not to exceed

(a) ((Standard cremation)) Minimum service Adult or older child ((or adult (wooden container)) (casket 5 feet or larger) \$((192))203 Child (((wooden container)) casket 2 feet 6 inches,

\$((150))<u>158</u> less than 5 feet) Child (((wooden container)) casket less than 2 feet 6 \$ ((72))76

inches) (b) Regular service

Adult or older child ((or adult)) (casket 5 feet or \$((440))<u>464</u> larger) Child (casket 2 feet 6 inches, less than 5 feet) \$((185))195 \$ ((72))<u>76</u> Child (casket less than 2 feet 6 inches)

(2) ((Cemetery or cremation---actual charges, but not to exceed \$215 if charges for a burial place are included. If the burial place is not required, the maximum shall be \$208. When two or more bodies are buried in one grave, the cost of the first burial including the lot will be \$215. Each additional burial in the same lot will be \$208.))

Burial or cremation services

(a) Burial only \$208
Burial in grave of another \$208
Burial with lot included
(b) Cremation only\$208
Cremation with burial place included \$215
(3) These standards include all applicable taxes.

(4) These standards shall be effective July 1, ((1977)) 1978.

WSR 78-08-044 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance) [Filed July 18, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to use of income and income potentials— Types of income—Effect on need, amending WAC 388-28-480.

Correspondence concerning this notice and proposed rules attached should be addressed to:

> David Hogan, Executive Assistant Department of Social and Health Services Mail Stop OB-44 C Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, September 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 13, 1978, and/or orally at 10:00 a.m., Wednesday, September 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: July 17, 1978 By: David Hogan **Executive Assistant**

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-28-480 USE OF INCOME AND INCOME PO-TYPES OF INCOME——EFFECT ON NEED. (1) The local office shall determine the income available to the applicant. ((See WAC 388-22-030(34):))

- (2) An applicant whose recurrent income for the month exceeds the monthly standards for basic requirements is not eligible to receive assistance whether the income is received weekly, biweekly or monthly, except as specified in WAC 388-24-250 through 388-24-265. Weekly income is multiplied by 4.3 to determine monthly total.
 - (3) Treatment of income
- (a) Earned and unearned nonexempt net recurrent income and appreciable nonrecurring income which is received by the applicant between the first day of the month and the date of initial grant authorization shall be taken into account for the month by prorating the income at public assistance standards from the first of the month until the date of grant authorization. The remainder, if any, shall be deducted from the assistance grant for the month.

(b) Income received by the applicant during the month but after the date of initial grant authorization shall be considered available to meet need on the first of the following month providing such income is reported to the local office by the ((21st)) twenty-first day of the month.

(c) Income received during the month and reported after the 21st day of the month shall be taken into account in the grant computation for the second month following the month of receipt.

(d) Unearned nonexempt recurrent income received in regular monthly amounts shall be deducted from requirements in the month of receipt beginning the month of initial authorization.

(e) Income not reported until the month following its acquisition and after the ((21st)) twenty-first day of the month in which it is reported shall be treated as an overpayment.

(4) Deleted

- (5) ((If the applicant has income which is irregular and so small as to be considered by the local office as not appreciable and if the probability exists that such future income will not be appreciable, the amount shall not be taken into consideration in assistance planning subject to later review should the situation change.)) Irregular income up to five dollars per month received by an applicant may be disregarded towards meeting need by the ESSO if the probability exists that such future income will not be appreciable.
 - (6) Deleted

(7) ((A small loan if not secured by transfer of exempt property or any interest in such property shall not be defined as income or resource

and shall not affect financial need.)) Deleted

- (8) ((With regard to other loans made to applicants or recipients, where the conditions of the loan are such that the principal is not available for current maintenance, and is held and used in accordance with such conditions, it does not represent income or resource to be taken into account against current living costs as computed for purposes of determining the public assistance payment. When the loan constitutes a debt and the property purchased with the proceeds cannot be converted for current maintenance, it does not represent a resource to be included in determining property reserves. Typical of such loans would be those which are under conditions specified by the creditors as to purchases that may be made, purposes to be fulfilled, or other controls which preclude the recipient from using the funds to meet his current living costs. Loans made by the farmers home administration, U.S. department of agriculture, under Title III of the Economic Opportunity Act come within the above classification.
- (a) This rule does not change or modify the rules on transfer of exempt property items in WAC 388-28-470 through 388-28-473.

(b) All net income derived from the use of such a loan is considered available to meet financial need except the amount specified in the loan as a condition for repayment of the loan.

- (c) The cost of the repayment of the principal and interest on the loan shall not be included in the computation of the applicant's or recipient's requirements:)) Any contractually agreed loan acquired by an applicant/recipient which commits all funds for a specific purpose other than current maintenance, and so expended, shall not be taken into account as income. The property used as collateral for the loan shall not be included in determining property reserves. The equity accumulated in the specified property shall be considered toward the resource ceiling.
- (9) A gift in-kind, as named below, supplied on condition that it be used only in a manner or for a purpose specified in writing by the donor shall not be considered as a resource or as income which is available to meet need.
- (a) Real or personal property, excluding cash and marketable securities, which is exempted for an applicant and which is within the ceiling values ((specified in WAC 388-28-430(2))). Example: A home or a new furnace.
- (b) Any item in the department's standards for additional requirements which is not a requirement for the recipient of such a gift. Example: Telephone service.
- (c) Needed goods or services not currently included as additional requirements in the department's standards, for example, repair of house or of household equipment.
- (10) WAC 388-28-482 and 388-28-484 cover newly-acquired income received by a recipient.

WSR 78-08-045
ADOPTED RULES
CONSERVATION COMMISSION
[Order CC 78-1—Filed July 18, 1978]

Be it resolved by the Conservation Commission, acting at Hearings Room, Department of Ecology, Lacey,

Washington, that it does promulgate and adopt the annexed rules relating to the amending of WAC 135-10-030—Guidelines and amending WAC 135-10-040—Distribution categories.

This action is taken pursuant to Notice No. WSR 78-06-130 filed with the code reviser on 6/7/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 89.08.070(5) and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 17, 1978.

By Wayne Reid Executive Secretary

AMENDATORY SECTION (Amending Order CC 77-1, filed 12/14/77)

WAC 135-10-030 GUIDELINES. Funds will be distributed to conservation districts by the conservation commission only ((on a reimbursement basis. Reimbursements will be made only)) upon receipt of a properly executed grant request form and will be for uses approved by the commission and subject to fulfilling the following requirements:

(1) Wages, salaries and related benefits.

- (a) Employment of district personnel shall be by action of the governing body, and shall include a contract or work agreement, a copy of which shall be filed with the conservation commission, Olympia, Washington.
- (b) Employee slips shall be submitted monthly to the conservation district ((secretary=))treasurer.
 - (2) Travel and out-of-pocket expenses.
- (a) Supervisors, employees, and agents shall submit travel vouchers monthly to conservation district ((secretary=))treasurer.
 - (3) Supplies.
- (a) Receipts for supplies purchased shall be submitted to the conservation district ((secretary=))treasurer.
 - (4) Contractual services.
- (a) Authorization for contractual services shall be by action of the governing body and shall be so recorded in the conservation district's official proceedings.
- (b) A copy of any contract shall be filed with the conservation commission.
- (c) Copies of receipts, orders, agreements, or transactions shall be submitted to the conservation district ((secretary=))treasurer.
- ((When seeking reimbursement the conservation district shall submit to the conservation commission an invoice voucher with a payment period data form attached. Annually the conservation district shall submit to the conservation commission an expenditure report of funds distributed to the conservation district by the conservation commission.))

AMENDATORY SECTION (Amending Order 2-73, filed 11/19/73)

WAC 135-10-040 DISTRIBUTION CATEGOR-IES. The conservation commission shall distribute funds directly, on a priority basis, to conservation districts for program activities within the following categories:

(1) Long-range programs and program development

(2) Special programs

(3) District administration

(4) District elections

(5) Information and education

((Such direct distribution shall be made within funds remaining available to the conservation commission after sufficient funds are reserved on a biennial basis for the expenses of training conferences, record keeping, supplies, and other costs associated with activities of the Washington association of conservation districts.))

WSR 78-08-046 EMERGENCY RULES DEPARTMENT OF AGRICULTURE [Order 1581—Filed July 19, 1978]

I, Bob J. Mickelson, director of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to domestic equine, amending WAC 16-54-071.

I, Bob J. Mickelson, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to a recent outbreak of Contagious Equine Metritis (CEM) in the U. S. and since it is a highly contagious disease and has a devastating effect on the reproductive efficiency of horses, it is necessary to institute this emergency measure.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapters 16.36 and 16.40 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 19, 1978.

By Bob J. Mickelson Director

AMENDATORY SECTION (Amending Order 1540, filed 10/17/77)

WAC 16-54-071 DOMESTIC EQUINE. (1) Domestic equine animals shall be accompanied by an official health certificate stating that they are free from

clinical symptoms of infectious and communicable disease.

(2) All equine over six (6) months of age must have a record of a negative test for the diagnosis of Equine Infectious Anemia made within six (6) months prior to entry. Horses moving to and from Oregon and Washington are excluded from the above test requirements.

(3) All thoroughbred breeding stock registered by the New York Jockey Club shall obtain a prior permit issued by the Animal Industry Division, Department of Agriculture, before entry, EXCEPT thoroughbred horses moving into Washington for racing or exhibition purposes.

ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1319—Filed July 19, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to information not confidential, amending WAC 388-48-020.

This action is taken pursuant to Notice No. WSR 78-06-037 filed with the code reviser on 5/19/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 19, 1978.

By David Hogan Executive Assistant

AMENDATORY SECTION (Amending Order 541, filed 3/31/71)

WAC 388-48-020 INFORMATION NOT CON-FIDENTIAL. (1) General information not identified with any particular individual such as total expenditures, number of recipients, other statistical and social data obtained from studies, reports or surveys, is not deemed to be confidential and may be released for any purpose.

(2) General information concerning coverage, conditions of eligibility, scope, related services available, and the rights and responsibilities of applicants for and recipients of public assistance programs must be made available to all persons, whether they are actual or potential applicants or merely persons seeking information.

WSR 78-08-048 EMERGENCY RULES PUBLIC EMPLOYMENT RELATIONS COMMISSION [Order 78-6—Filed July 19, 1978]

Be it resolved by the Public Employment Relations Commission, acting at Everett, Washington, that it does promulgate and adopt the annexed rules relating to Collective Bargaining Rules—Marine Employees, chapter 391-70 WAC.

We, the Public Employment Relations Commission, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is continuation of previous emergency rules without change. Commission presently engaged in comprehensive review of these rules and intends to adopt permanent rules in the near future.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 47.64.040 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 41.58.050 which directs that the Public Employment Relations Commission has authority to implement the provisions of chapter 47.64 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 14, 1978.

By Marvin L. Schurke Executive Director

Chapter 391–70 WAC RULES OF PRACTICE AND PROCEDURE—— MARINE EMPLOYEES

WAC	
391-70-010	General application.
391-70-020	Special rules.
391-70-030	Modifications and exceptions.
391–70–040	Address for communications——Time of official receipt.
391-70-050	Office hours.
391-70-060	Computation of time.
391-70-070	Definitions.
391-70-080	Informal procedure.
391-70-090	Formal procedure.
391-70-100	Filing and service.
391-70-110	Intervention.
391-70-120	Appearances.
391-70-130	Prehearing conferences.

391-70-140	Voluntary settlement.
391-70-150	Subpoenas.
391-70-160	Depositions.
391-70-170	Hearings.
391-70-180	Continuances.
391–70–190	Stipulation as to facts.
391-70-200	Conduct at hearings.
391-70-210	Testimony under oath.
391-70-220	Order of procedure.
391-70-230	Rules of evidence——Admissibility
	criteria.
391–70–240	Rules of evidence——Official notice.
391-70-250	Rules of evidence—Exhibits and
	documentary evidence.
<i>391–70–260</i>	Briefs.
391–70270	Reconsideration.
391-70-280	No discussion of proceeding until
	decision.
391-70-290	Administrative rulings.
391-70-300	Compliance with orders—Notifica-
	tion to commission.

NEW SECTION

WAC 391-70-010 GENERAL APPLICATION. These rules of practice and procedure before the public employment relations commission are for general application to proceedings and hearings before the commission pursuant to chapter 47.64 RCW.

NEW SECTION

<u>WAC 391-70-020</u> SPECIAL RULES. Special rules may in the future be adopted applying to particular proceedings, and in case such special rules are inconsistent with these general rules, the special rules shall govern.

NEW SECTION

WAC 391-70-030 MODIFICATIONS AND EX-CEPTIONS. These rules and regulations are subject to such changes, modifications and additions as the commission from time to time may prescribe, and such exceptions as may be just and reasonable in individual cases as determined by the commission.

NEW SECTION

WAC 391-70-040 ADDRESS FOR COMMUNI-CATIONS—TIME OF OFFICIAL RECEIPT. All written communications and documents should be addressed to "Public Employment Relations Commission, 603 Evergreen Plaza, 711 Capitol Way, Olympia, Washington 98504" and not to individual members of the commission. All communications and documents are deemed to be officially received only when delivered at the office of the commission.

NEW SECTION

WAC 391-70-050 OFFICE HOURS. The office of the commission is open on each business day between the hours of 8:00 a.m. and 5:00 p.m., except Saturday.

NEW SECTION

WAC 391-70-060 COMPUTATION OF TIME. The time within which an act shall be done, as herein provided, shall be computed by excluding the first day and including the last, unless the last day is a holiday or Sunday, and then it is excluded.

NEW SECTION

WAC 391-70-070 DEFINITIONS. (1) "Washington toll bridge authority" and "authority" shall mean the Washington toll bridge authority or the Washington state ferries operated by the director of highways.

(2) "Public employment relations commission" and "commission" shall mean the public employment relations commission of this state or its authorized agents.

(3) "Washington state ferries" or "ferry" shall mean any Puget Sound ferry, ferry system and wharves and terminals operated or constructed by the authority or the director of highways.

(4) "Employee" or "individual" shall mean any person employed aboard any Puget Sound ferry, wharf, or terminal operated or constructed under the authority of the authority or the director of highways.

(5) "Person" or "party" when used in these rules may include a corporation, partnership, labor union, association, the authority, or any public officer or agency.

(6) "Parties to proceedings" before the commission shall be styled petitioners, respondents or interveners, according to the relationship of the parties thereto.

(7) "Petitioner." A person who files a notice of labor dispute with the commission shall be styled "petitioner." In any proceeding which the commission brings on its own motion, it shall be styled "petitioner."

(8) "Respondent." A person against whom any notice of labor dispute is filed shall be styled "respondent."

- (9) "Representative" when used in these rules may mean an attorney, a counsel or other person authorized to represent a party to a proceeding before the commission
- (10) "Labor dispute" shall mean a bona fide labor dispute concerning either an employer, employee, labor union, or any other person arising in the operations of the Washington state ferries, or which shall be the subject of a notice of labor dispute, formal or informal, to the commission. To be bona fide, the parties to the labor dispute must have negotiated concerning the same and reach a stalemate making adjudication of the labor dispute necessary. The commission will refuse to consider trivial or frivolous notices of labor disputes as true labor disputes and may demand proof before acceptance of a notice for formal or informal disposal of bona fide efforts on the part of the parties at settlement.

NEW SECTION

WAC 391-70-080 INFORMAL PROCEDURE.
(1) Informal notice. An informal notice to the commission concerning a labor dispute may be given by letter or other writing. Matters thus presented may be taken up by the commission with the parties affected, by correspondence or otherwise, in an endeavor to bring about an

adjustment of the subject matter of the notice without formal hearing or order. Informal procedure will be used wherever practicable.

-contents. No form of infor-(2) Informal notices mal notice is prescribed, but in substance the letter or other writing should contain all facts essential to a disposition of the matter, including the dates of acts or omissions complained against. Proceedings instituted by informal notice shall be without prejudice to the right of any party or the commission to file a formal notice. Since informal notices are not in themselves a basis of formal action, all parties desiring a formal order of the commission should file a formal notice. Informal procedure is designed to facilitate the amicable adjustment of disputes, and no mandatory or prohibitory order may be issued in an informal proceeding, unless the parties interested stipulate in writing that an order may be entered in such proceeding.

NEW SECTION

WAC 391-70-090 FORMAL PROCEDURE. (1) Formal notices. Formal notices are those notices of labor disputes filed in accordance with RCW 47.64.040, and may be required by the commission in cases which indicate to the discretion of the commission that informal procedures would be ineffectual or inadequate.

(2) Verification. A formal notice of labor dispute shall be verified by the petitioner in the manner prescribed for verification of the pleadings in the superior court of

Washington.

- (3) Defective notice. Upon the filing of any notice, it will be inspected by the commission and if found to be defective or insufficient, it may be returned to the party filing it for correction.
- (4) Liberal construction. All notices shall be liberally construed with a view to effect justice between the parties, and the commission will, at every stage of any proceeding, disregard errors or defects in the notice or proceeding which do not affect the substantial rights of the parties.
- (5) Amendments. The commission may allow amendments to the notice or other relevant documents at any time upon such terms as may be lawful and just, provided that such amendments do not adversely affect the interest of persons who are not parties to the proceeding.

(6) Consolidation of proceedings. Two or more proceedings where the facts or principles of law are related

may be consolidated and heard together.

(7) Formal notice—contents. Formal notice as to any acts or omissions by any person, or for the redress of alleged grievances, must be in writing setting forth clearly and concisely the labor dispute and ground of complaint with a statement of the acts or things done or omitted to be done by any person, if required. Facts constituting such acts or omissions, should be stated, together with the dates on which the acts or omissions occurred. The name of any person complained against must be stated in full, and the address of the person filing the same, together with the name and address of his attorney, if any, must appear upon the notice.

NEW SECTION

WAC 391-70-100 FILING AND SERVICE. (1) Filing of formal notices. Formal notices shall be type-written, mimeographed or printed, and the original and two legible copies shall be filed with the commission, together with one legible copy for service by the commission on each of the other parties to the cause.

(2) Service by commission. All notices, findings of fact, opinions and orders required to be served by the commission may be served in person or by mail and service thereof by mail shall be deemed complete when a true copy of such paper or document, properly addressed and stamped, is deposited in the United States mail.

NEW SECTION

WAC 391-70-110 INTERVENTION. (1) Intervention. Any person, other than the original parties to the proceedings, who shall desire to appear and participate in any proceeding before the commission, may move in writing for leave to intervene in the proceeding prior to, or at the time it is called for hearing, or may make an oral motion for leave to intervene at the time of the hearing. No such motion shall be filed or made after the proceeding is under way, except for good cause shown. The motion to intervene must disclose the name and address of the party intervening, the name and address of his attorney, if any, his interest in the proceeding; and his position in regard to the matter in controversy.

(2) Disposition of motions to intervene. Motions to intervene shall be considered first at all hearings, or may be set for prior hearing, and an opportunity shall be afforded the original parties to be heard thereon. If it appears, after such consideration, that the motion discloses an interest in the subject matter of the hearing, or that participation by the moving party is in the public interest, the commission shall grant the same, which may be done by oral order at the time of the hearing. Thereafter such person shall become a party to the proceeding and shall be known as an "intervener," with the same right to produce witnesses and of cross-examination as other parties to the proceeding. Whenever it appears, during the course of a proceeding, that an intervener has no substantial interest in the proceeding the commission may dismiss him from the proceeding.

NEW SECTION

WAC 391-70-120 APPEARANCES. (1) General. Parties shall enter their appearances at the beginning of any formal hearing by giving their names and addresses in writing to the reporter who will include the same in the minutes of the hearing. Appearance may be made on behalf of any party by his attorney or other authorized representative, and thereupon all future orders may be served upon such attorney or representative, and such service shall be considered valid service for all purposes upon the party represented. The presiding officer conducting the hearing may, in addition, require appearances to be stated orally, so that the identity and interest of all parties present will be known to those at the hearing.

(2) Answers and replies. An answer in writing or a reply in writing to an answer may be required by the commission and opportunity to file same will be given on timely request. The same number of copies shall be required as is required for a petition. The commission shall fix the time allowable for filing an answer or reply which, unless otherwise fixed, shall be twenty days.

NEW SECTION

WAC 391-70-130 PREHEARING CONFER-ENCES. (1) General. Before any formal proceeding, the commission may, by written notice, request all interested parties to attend a prehearing conference for the purpose of determining the feasibility of settlement, or of formulating the issues in the proceeding and to determine other matters to aid in its disposition. The commission or a commissioner designated by the commission, shall preside at such conference, to consider:

(a) Simplification of the issues,

(b) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;

(c) Limitations on the number and consolidation of the examination of witnesses;

(d) The procedure at the hearing:

(e) The distribution of written affidavits, testimony and exhibits to the parties prior to the hearing; and

(f) Such other matters as may aid in the disposition of the proceeding, or settlement thereof.

(2) Notice as to simplified issues. Following the prehearing conference a proposed order, reciting the action taken at the conference, any amendments allowed, and the agreements made by the parties concerning all of the matters considered, shall be submitted to the parties or other authorized representatives, for approval. Unless the order is objected to within five days or a lesser time in the discretion of the commission after being received, it shall be deemed to be approved. This order shall limit the issues to be heard at the hearing to those not disposed of by admissions or agreements of the parties and will control the subsequent course of the proceeding unless modified at the hearing to prevent manifest injustice.

(3) Recessing hearing for conference. In any proceeding the presiding officer may, in his discretion, call the parties together for a conference prior to the taking of testimony, or may recess the hearing for such a conference, with a view to carrying out the purpose of subsection (1) above. The presiding officer shall state on the record the results of such conference.

NEW SECTION

WAC 391-70-140 VOLUNTARY SETTLE-MENT. Parties to the proceeding may, with the approval of the commission, enter into a voluntary settlement of the subject matter of the notice prior or subsequent to a formal hearing, and in furtherance of a voluntary settlement, the commission may, in its discretion, invite the parties to confer with it. Such conferences shall be informal and without prejudice to the rights of the parties, and no statement, admission or offer of settlement made

at such informal conference shall be admissible in evidence in any formal hearing before the commission.

NEW SECTION

WAC 391-70-150 SUBPOENAS. Subpoenas shall as nearly as practicable follow the form required in superior courts. Subpoenas may be issued by any commissioner and witnesses are required to comply therewith. Parties desiring subpoenas should prepare them for issuance, send them to the commission for signature and upon their return have the same served at their expense. The commission shall be responsible only for paying the witness fees of witnesses subpoenaed by it, and each subpoena shall bear the name of the party responsible for paying the witness fees.

NEW SECTION

WAC 391-70-160 DEPOSITIONS. Any party to a proceeding may request the commission to take by deposition the testimony of any witness. The commission may take the testimony of any witness by deposition and for that purpose the attendance of witnesses and the production of documents, papers and accounts may be enforced in the same manner as in the case of hearing before the commission: PROVIDED, That all costs incidental thereto shall be paid by the party desiring such deposition.

NEW SECTION

WAC 391-70-170 HEARINGS. (1) General. The time and place of holding formal hearings will be set by the commission and notice thereof served upon all parties at least ten days in advance of the hearing date, unless the commission finds that an emergency exists requiring the hearing to be held upon less notice. An effort will be made to set all formal hearings sufficiently in advance so that all parties will have a reasonable time to prepare their cases, and so that continuances will be reduced to a minimum.

(2) Dismissals. At the time and place set for hearing, if petitioner fails to appear, the commission may recess said hearing for a further period to be set by the presiding officer to enable said petitioner to attend upon said hearing, but if at the time set for the resumption of the hearing said petitioner is not present or represented, the commission may dismiss the petition.

NEW SECTION

WAC 391-70-180 CONTINUANCES. Any party who desires a continuance shall, immediately upon receipt of notice of the hearing, or as soon thereafter as facts requiring such continuance come to his knowledge, notify the commission of said desire, stating in detail the reasons why such continuance is necessary. The commission in passing upon a request for a continuance shall consider whether such request was promptly made. For good cause shown, the commission may grant such a continuance. The commission may at any time order a continuance upon its own motion. During a hearing, if it appears in the public interest that further testimony or

argument should be received, a commissioner may in his discretion continue the hearing and fix the date for introduction of additional evidence or presentation of argument. Such oral notice shall constitute final notice of such continued hearing.

NEW SECTION

WAC 391-70-190 STIPULATION AS TO FACTS. The parties to any proceeding before the commission may, by stipulation in writing filed with the commission or entered in the record, agree upon the facts or any portion thereof involved in the controversy, which stipulation shall be binding upon the parties thereto and may be regarded and used by the commission as evidence at the hearing. It is desirable that the facts be thus agreed upon whenever practicable. The commission may, however, require proof by evidence of the facts stipulated to, notwithstanding the stipulation of the parties.

NEW SECTION

WAC 391-70-200 CONDUCT AT HEARINGS. All parties to hearings, their representatives and spectators shall conduct themselves in a respectful and ethical manner. Demonstrations of any kind at hearings shall not be permitted. If any person does not conform to this rule, the commission may decline to permit such person to appear in a representative capacity or take part in proceedings before the commission. Smoking shall not be permitted at formal hearings of the commission while in session: PROVIDED, That the presiding officer may relax this provision.

NEW SECTION

WAC 391-70-210 TESTIMONY UNDER OATH. All testimony to be considered by the commission in formal hearings, except matters noticed officially or entered by stipulation, shall be sworn testimony. Before taking the witness stand each person shall swear (or affirm) that the testimony he is about to give in the hearing before the commission shall be the truth, the whole truth and nothing but the truth.

NEW SECTION

WAC 391-70-220 ORDER OF PROCEDURE. (1) General. Evidence will ordinarily be received in the following order:

(a) Upon investigation on motion of the commission: (i) Commission's staff, (ii) respondent and (iii) rebuttal by commission's staff.

(b) Upon formal notices of labor dispute: (i) Petitioner, (ii) respondent, (iii) commission's staff and (iv) rebuttal

(2) Modification of procedure. The order of presentation above prescribed shall be followed, except where the presiding officer may otherwise direct. In hearings of several proceedings upon a consolidated record, the presiding officer shall designate who shall open or close. Interveners shall follow the party in whose behalf the intervention is made. If the intervention is not in support

of either original party, the presiding officer shall designate at what stage such interveners shall be heard.

NEW SECTION

WAC 391-70-230 RULES OF EVIDENCE—ADMISSIBILITY CRITERIA. All relevant evidence is admissible which, in the opinion of the presiding officer, is the best evidence reasonably obtainable, having due regard to its necessity, availability and trustworthiness.

NEW SECTION

WAC 391-70-240 RULES OF EVIDENCE—OFFICIAL NOTICE. In addition to matters concerning which courts of this state take judicial notice, the commission will take official notice of the following matters: Rules, regulations, administrative rulings and orders of the commission, the Washington toll bridge authority, the Washington department of highways, and other governmental agencies. In addition, the commission may, in its discretion, upon being requested by all parties to the proceeding so to do, take official notice of the results of its own inspection of the conditions involved.

NEW SECTION

WAC 391-70-250 RULES OF EVIDENCE-EXHIBITS AND DOCUMENTARY EVIDENCE. (1) Designation of part of document as evidence. When relevant and material matter offered in evidence by any party is embraced in a book, paper or document containing other matter not material or relevant, the party offering the same must plainly designate the matter so offered. If other matter is in such volume as would necessarily encumber the record, such book, paper or document will not be received in evidence, but may be marked for identification, and, if properly authenticated, the relevant or material matter may be read into the record, or, if the presiding officer so directs, a true copy of such matter in proper form shall be received as an exhibit, and like copies delivered by the party offering the same to all other parties or their attorneys appearing at the hearing, who shall be afforded an opportunity to examine the book, paper or document, and to offer in evidence in like manner other portions thereof if found to be material and relevant.

(2) Official records. An official rule, report, order, record or other document, prepared and issued by any governmental authority, when admissible for any purpose may be evidenced by an official publication thereof or by a copy attested by the officer having the legal custody thereof, or his deputy, and accompanied by a certificate that such officer has the custody, made by any public officer having a seal of office and having official duties in the district or political subdivision in which the record is kept, authenticated by the seal of his office. In cases where such official records, otherwise admissible, are contained in the official publications are in general circulation and readily accessible to all parties, they may be introduced by reference: PROVIDED, HOWEVER. That proper and definite reference to the record in question is made by the party offering the same.

- (3) Commission's files. Papers and documents on file with the commission, if otherwise admissible, and whether or not the commission has authority to take official notice of the same under WAC 391-70-240, may be introduced by reference to number, date or by any other method of identification satisfactory to the presiding officer. If only a portion of any such paper or document is offered in evidence, the part so offered shall be clearly designated.
- (4) Records in other proceedings. In case any portion of the record in any other proceeding is admissible for any purpose and is offered in evidence, a true copy of such portion shall be presented for the record in the form of an exhibit unless—
- (a) The party offering the same agrees to supply such copies later at his own expense, if and when required by the commission; and
- (b) The portion is specified with particularity in such manner as to be readily identified; and
- (c) The parties represented at the hearing stipulate upon the record that such portion may be incorporated by reference, and that any portion offered by any other party may be incorporated by like reference, and
 - (d) The presiding officer directs such incorporation.
- (5) Copies of exhibits to opposing party. When specially prepared exhibits of a documentary character are offered in evidence, copies must be furnished to opposing parties, four to the presiding officer, and one to the reporter, unless the presiding officer otherwise directs. Whenever practicable, the parties should interchange copies of exhibits before, or at the commencement of the hearing.

NEW SECTION

WAC 391-70-260 BRIEFS. Briefs may be filed in any proceeding before the commission by any interested party, and shall be filed by any party to the proceeding upon the request of the commission, and within such time as shall be directed by the commission. The commission may require the filing of all briefs within three days after the close of the hearing if it considers the proceeding to be such that an order should issue promptly, and in the case of matters requiring an immediate decision, may require the parties, or their counsel, to present their arguments and authority orally at the close of the hearing, instead of by written brief. Briefs should set out the leading facts and conclusion which the evidence tends to prove, and point out the particular evidence relied upon to support such conclusion. Three copies of each brief shall be filed with the commission and copies thereof shall be served on all parties to the case, or their counsel, and proof of such service furnished to the commission.

NEW SECTION

WAC 391-70-270 RECONSIDERATION. Application for reconsideration by a party to the proceeding shall be made by a written and signed petition stating specifically the grounds thereof. All petitions for reconsideration shall be filed with the chairman within thirty

days after the service of the final decision of the commission. Copies of the petition shall be served upon all parties of record.

NEW SECTION

WAC 391-70-280 NO DISCUSSION OF PROCEEDING UNTIL DECISION. The commission declares its policy to be that after the filing of a petition in a contested formal proceeding and prior to the issuance of an order thereon, no parties to the proceeding, or their counsel, shall discuss the merits of such matter or proceeding with the commissioners, unless reasonable notice is given to all parties who have appeared therein, to enable such parties to be present at the conference. When, after filing of a petition and prior to the issuance of an order thereon, letters are directed to the commission, or any member of its staff, regarding a formal proceeding, copies of such letters shall be mailed to all parties of record and proof of such service furnished to the commission.

NEW SECTION

WAC 391-70-290 ADMINISTRATIVE RUL-INGS. Upon the motion of any interested person subject to its jurisdiction, or upon its own motion, the commission may, when it appears to be in the public interest, make and issue administrative rulings when necessary to terminate a controversy or to remove a substantial uncertainty as to the application of statutes or rules of the commission.

NEW SECTION

WAC 391-70-300 COMPLIANCE WITH ORDERS—NOTIFICATION TO COMMISSION. When an order has been issued by the commission any party named therein, who is, by such order, required to do or refrain from doing any act or thing, shall notify the commission on or before the date upon which compliance with such order is required, whether or not there has been compliance with said order.

WSR 78-08-049 NOTICE OF PUBLIC MEETINGS STATE HOSPITAL COMMISSION [Memorandum, Exec. Director—July 18, 1978]

The State Hospital Commission will hold its next regularly scheduled meeting on AUGUST 10, 1978, beginning at 9:30 a.m. at the University Tower Hotel, N.E. 45th and Brooklyn Avenue, Seattle.

TENTATIVE AGENDA

- 1. Chairman's Report
 - Approval of July 13, 1978 minutes
- 2. Staff Report
- 3. Technical Advisory Committee Report
- 4. Ad Hoc Committee on Return on Investment Report
- 5. Other Committee Reports
- 6. BUDGET REVIEWS
 - a. West Seattle General Hospital

- 7. BUDGET AMENDMENT REVIEWS
 - a. Samaritan Hospital, Moses Lake
 - b. St. Luke's General Hospital, Bellingham
- CERTIFICATE OF NEED/1122 REVIEWS (Pending completion and/or HSA Review)
 - a. Central Washington Health Services Association, Wenatchee Amendment to C.N. #265A-187
 - b. Eye and Ear Hospital of Wenatchee, Wenatchee Substantial Acquisition
 - c. Mount Carmel Hospital, Colville Renovation and expansion
 - d. Spokane Valley General Hospital, Spokane Phases I and II construction, renovation, and equipment
 - e. Valley General Hospital, Renton Additional surface parking

FUTURE MEETING SCHEDULE

August 24, 1978 -

CANCELLED

September 14 and 21 -

Seattle, University Tower Hotel, 9:30 a.m. Seattle (time and place to be announced) -

"Town meeting"

October 26 -

Seattle, University Tower Hotel, 9:30 a.m.

WSR 78-08-050 RULES OF COURT STATE SUPREME COURT

[Order 25700-A-259]

IN THE MATTER OF THE ADOPTION OF AMENDMENTS TO RAP 1.1(e),

No. 25700-A-259

2.2, 8.2, 15.2(a) AND (b),

18.12; AND THE ADOPTION OF

ORDER

RAP 7.2(j) AND 18.13.

The Court having considered amendments and additions to the Rules of Appellate Procedure as proposed by the Washington Judicial Council, and having concluded that the amendments and additions will aid in the prompt and orderly disposition of juvenile offense proceedings brought before the appellate courts on review; Now, therefore, it is hereby

ORDERED:

- (1) That the amendments and additions as attached hereto are adopted on an interim basis.
- (2) That the amendments and additions will be published expeditiously in the Washington Reports and will become effective on July 1, 1978.

DATED at Olympia, Washington, this 18th day of July, 1978.

	Charles T. Wright
Hugh J. Rosellini	Robert F. Utter
Orris L. Hamilton	Robert F. Brachtenbach
Charles Horowitz	James M. Dolliver
Charles F. Stafford	Floyd V. Hicks

RAP 1.1(e)

(e) Application to Civil and Criminal Proceedings and Juvenile Court Proceedings. Each rule applies to both civil and criminal proceedings, unless a different application is indicated. If different rules apply in civil and criminal proceedings, the criminal rule applies to review

of a decision in a juvenile offense proceeding, and the civil rule applies to review of any other decision by a juvenile court.

RAP 2.2(a)(5)

(5) Determination of Dependency or Delinquency Juvenile Court Disposition. A determination of dependency or delinquency in a juvenile court proceeding. The disposition decision following a finding of dependency by a juvenile court, or a disposition decision following a finding of guilt in a juvenile offense proceeding.

RAP 2.2(b)(5)

(5) Disposition in Juvenile Offense Proceeding. A disposition in a juvenile offense proceeding which is outside the standard range of disposition for the offense.

RAP 7.2(i)

(j) Juvenile Court Decision. The trial court has authority to act on matters of supersedeas, stays, bonds, and the release of a person pending review of a juvenile court proceeding.

RULE 8.2

RELEASE OF DEFENDANT OR JUVENILE **DURING REVIEW** OF A CRIMINAL CASE

- (a) Release Not Governed by These Rules. The conditions under which a defendant in a criminal case or a juvenile in a juvenile offense proceeding may be released pending review are set forth in the criminal rules, juvenile court rules, and in statutes.
- (b) Objection to Decision. A party may object to a trial court decision relating to release of a defendant or a juvenile during a review of a criminal case or a juvenile offense proceeding by motion in the appellate court.

RAP 15.2(a) and (b)

(a) Motion for Order of Indigency. A party seeking review partially or wholly at public expense must move in the trial court for an order of indigency. The motion must be served and filed within the time allowed for filing a notice of appeal or a notice for discretionary review. The time between the service and filing of the motion for an order of indigency and the determination of that motion is excluded from the time allowed for filing a notice of appeal or notice for discretionary review. The motion must be supported by an affidavit setting forth the moving party's total assets; the expenses and liabilities of the party; a statement of the amount, if any, the party can contribute towards the expense of review; a statement of the expenses the party wants waived or provided at public expense; a brief statement of the nature of the case and the issues sought to be reviewed; a designation of those parts of the record the party thinks are necessary for review; and a statement that review is sought in good faith. If the case is a civil case which

does not involve permanent deprivation of parental rights or a determination whether a juvenile is delinquent, a termination of parental rights or a disposition in a juvenile offense proceeding, the party must also demonstrate in the motion or the supporting affidavit that the issues the party wants reviewed have probable merit and that the party has a constitutional right to review partially or wholly at public expense.

(b) Action by Superior Court. The superior court shall decide the motion for an order of indigency, after a hearing if the circumstances warrant, as follows:

- (1) Denial Generally. The superior court shall deny the motion if a party has adequate means to pay all of the expenses of review. The order denying the motion for an order of indigency shall contain findings designating the funds or source of funds available to the party to pay all of the expenses of review.
- (2) Cases Involving Crimes, Parental Rights, Delinquency. Juvenile Offenses. In a criminal case, a case involving permanent deprivation a termination of parental rights, or a case determining whether a juvenile is delinquent, involving a disposition in a juvenile offense proceeding, the superior court shall grant the motion and enter an order of indigency if the party seeking public funds is unable by reason of poverty to pay for all or some of the expenses of appellate review.

(3) Other Civil Cases. If the case is a civil case which does not involve permanent deprivation a termination of parental rights or a determination of whether a juvenile is delinquent disposition in a juvenile offense proceeding and if the party is unable by reason of poverty to pay for all of the expenses of review, the superior court shall enter findings of indigency. The superior court shall determine in those findings the portion of the record necessary for review and the amount, if any, the party is able to contribute towards the expense of review. The findings shall conclude with an order to the clerk of the superior court to promptly transmit to the Supreme Court, without charge to the moving party, the findings of indigency, the motion for an order of indigency, the affidavit in support of the motion, and all other papers submitted in support of or in opposition to the motion. The superior court clerk shall promptly transmit to the Supreme Court the papers designated in the findings of indigency.

RULE 18.12

ACCELERATED REVIEW GENERALLY

[Change in title only; no change in rule text.]

RULE 18.13

ACCELERATED REVIEW OF DISPOSITIONS IN JUVENILE OFFENSE PROCEEDINGS

(a) Generally. A disposition in a juvenile offense proceeding which is beyond the standard range for that offense may be reviewed in the manner provided in the rules for other decisions or by accelerated review as provided in this rule.

- (b) Accelerated Review by Motion. A party seeking accelerated review of the disposition shall do so by motion. The motion must include (1) the name of the party filing the motion; (2) the offense; (3) the disposition of the trial court; (4) the standard range for the offense; (5) a statement of the disposition urged by the moving party; (6) copies of the clerk's papers and a written verbatim report of those portions of the disposition proceeding which are material to the motion; (7) an argument for the relief the party seeks; and (8) a statement of any other issues to be decided in the review proceeding.
- (c) Motion Procedure Controls. The motion procedure, including a party's response, is governed by Title 17.
- (d) Accelerated Review of Other Issues. The decision of issues other than those relating to the juvenile offense disposition may be accelerated only pursuant to Rules 18.8 and 18.12.

RULE 18.14 through 18.20 [RESERVED]

WSR 78-08-051 PROPOSED RULES CLARK COLLEGE [Filed July 20, 1978]



Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 42.30.080, that the Clark College intends to adopt, amend, or repeal rules concerning selection of tenure review committee;

that such institution will at 4:30 p.m., Tuesday, September 19, 1978, in the Clark College Administration Building, Room AD011, 1800 E. McLoughlin Blvd. conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 7 p.m., Tuesday, September 19, 1978, in the Clark College Administration Building, Room AD011, 1800 E. McLoughlin Blvd.

The authority under which these rules are proposed is RCW 28B.50.852.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to September 19, 1978, and/or orally at 7 p.m., Tuesday, September 19, 1978, Clark College Administration Building, Room AD011, 1800 E. McLoughlin Blvd.

This notice is connected to and continues the matter noticed in Notice No. 7376 filed with the code reviser's office on January 20, 1977.

Dated: July 18, 1978 By: Richard A. Jones President

AMENDATORY SECTION (Amending Order 76-3, filed 2/18/77)

WAC 132N-128-030 SELECTION OF THE TENURE RE-VIEW COMMITTEE. (1) A Tenure Review Committee shall be established for each probationer. The committee shall be responsible for the probationer until he is either granted tenure or is no longer employed at Clark College.

(2) The president of the college shall appoint an administrator to assume the ongoing overall responsibility for coordinating the activities of the tenure review process and assuring that tenure review committees are formed and that they fulfill their duties. Each Tenure Review Committee shall have its first organizational meeting no later than six weeks after the day that the probationer has begun his/her faculty duties, providing, however, that if he/she begins his/her duties in the summer quarter, this process is to begin no later than six weeks after the beginning of the fall quarter.

(3) Each Tenure Review Committee shall be composed of five members. There shall be automatic appointment by the college president of the probationer's Division Chairperson or, in the absence of a division, of the department chairperson. In cases where there is an official program director, the program director will replace the division chairperson. This position will be designated Position #1, and will constitute the administrative staff's representation on the committee. Positions #2, #3, and #4 shall consist of tenured faculty members. The faculty members selected for Positions #2 and #3 shall be the same for all Tenure Review Committees initiated that year to a limit of three committees, and they will serve on those committees for the full period((, up to three years,)) necessary for each committee to discharge its duties. One shall be an "academic" instructor; the other shall be from the vocational area. Each year the president of the faculty negotiating body shall nominate a candidate for each position, then call an allfaculty meeting at which additional candidates may be nominated. A vote shall be taken at that meeting and the nominee receiving a majority vote for each position shall be elected. If no candidate for a particular position receives a majority vote, a run-off election shall be held within ten calendar days between the two candidates receiving the largest number of votes. Position #4 shall be filled with a tenured faculty member elected by the faculty acting in a body after the association has solicited and considered the probationer's counsel relative to the candidate or candidates for that position. Position #5 shall be filled by a full-time student selected by the Council of Representatives of the Associated Students of Clark College. Each review committee shall choose its own chairperson, adopt bylaws for its operation, and shall meet at least once each quarter at the call of the chairperson.

(4) If a vacancy exists upon the Review Committee, as determined by the committee's bylaws, prior to the expiration of any such appointment, an administrative member, a faculty member, or student member, as appropriate, will be chosen pursuant to subsection (3) above to fill the unexpired term of the absent member of such review

committee.

WSR 78-08-052 EMERGENCY RULES DEPARTMENT OF FISHERIES [Order 78-50—Filed July 20, 1978]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order is necessary for protection of Lake Washington chinook and continued protection of Lake Washington sockeye.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 20, 1978.

By Gordon Sandison Director

NEW SECTION

WAC 220-28-010B0G CLOSED AREA Effective August 1 through September 16, 1978 it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes in Treaty Indian Salmon Management and Catch Reporting Area 10B with any type of gear.

NEW SECTION

WAC 220-28-010C0B CLOSED AREA Effective August I through September 19, 1978 it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 10C exclusive of those waters of Lake Sammamish west and south of a line parallel to and 250 yards out from the east and north shores and those waters north of a line projected due east from Greenwood Point.

NEW SECTION

WAC 220-28-010D0D CLOSED AREA Effective August 1, through December 31, 1978 it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes in Treaty Indian Salmon Management and Catch Reporting Area 10D or from the waters of the Cedar River, with any type of gear.

Those areas and times not specifically closed by this Order remain closed to all treaty Indian fishing except as permitted by tribal regulations filed with the U. S. District Court and the Departments of Fisheries and Game which comply with the decision and subsequent orders in U. S. v. Washington Civil No. 9213. No fishing outside the usual and accustomed grounds and stations is authorized by this Order. This Order is not an opening of any time or areas to treaty Indian fisheries which have not been opened by properly filed tribal regulations.

REPEALER

Effective August 1, 1978 the following sections of the Washington Administrative Code are hereby repealed:

WAC 220-28-010B0F CLOSED AREA (78-36) WAC 220-28-010C0A CLOSED AREA (78-36) WAC 330-28-010D0C CLOSED AREA (78-36)

WSR 78-08-053 ADOPTED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance) [Order 1320—Filed July 20, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to AFDC and GAU—Grant or vendor payment, amending chapter 388-33 WAC.

This action is taken pursuant to Notice No. WSR 78-05-022 filed with the code reviser on 4/13/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 21, 1978.

By David Hogan Executive Assistant

NEW SECTION

WAC 388-33-376 ADVANCE AND ADE-QUATE NOTICE—SUSPENSION—TERMI-NATION—REDUCTION OF GRANT. (1) In cases of planned actions to terminate, suspend or reduce grants to recipients of AFDC, GA, medical assistance, or medical only, the local office shall give advance and adequate notice, except as provided in WAC 388-33-385.

- (a) "Advance" means that the notice is mailed at least ten days before the date of action.
- (b) "Adequate" means a written statement of what action the local office intends to take, the facts relating to the decision, the policy supporting the action, the right to request a fair hearing, and the circumstances under which assistance is continued if a hearing is requested.
- (2) When advance notice of planned action is not required as provided in WAC 388-33-385:
- (a) Notification of planned reduction shall be provided by state office:
- (b) The local office shall notify the recipient of suspension or termination action as described in subsection (1)(b) of this section.
- (3) When changes in either state or federal law require automatic grant adjustments for classes of recipients, notice shall be given including the specific change in law. The state office shall determine the method by which notice is given.

AMENDATORY SECTION (Amending Order 1194, filed 3/3/77)

WAC 388-33-377 GRANT CONTINUATION PENDING FAIR HEARING. (1) When a recipient (of medical benefits, AFDC or general assistance payments) files a request for fair hearing according to chapter 388-08 WAC and the request is filed within the advance notice period specified in WAC ((388-33-380)) 388-33-376, assistance shall be continued, if the decision being appealed relates to proposed reduction, suspension, or termination.

(((a))) Such payment continues through the month ((in which a fair hearing decision is rendered, or request is withdrawn in writing by the claimant or abandoned, if there is an issue of fact or judgment including the correctness of application of the department's rules and policy:

(b) Such payment continues through the day of the fair hearing if the only issue is one of policy.

(c) Assistance payments made pending a hearing are subject to recovery by the department if its action is sustained by the hearing decision.

(2))) of the fair hearing in all cases in which a fair hearing is requested, unless the request is withdrawn in

writing by the claimant or abandoned.

(2) When a recipient requests a fair hearing within the advance notice period relative to a proposed reduction, suspension, or termination of assistance, the determination of whether the issue is one of policy or is an issue of fact or judgment will be determined at the fair hearing by the hearing examiner.

(a) If there is an issue of fact or judgment including the correctness of application of the department's rules and policy, assistance will then continue through the month in which a fair hearing decision is rendered.

- (b) If the issue is one of policy, assistance is discontinued at the end of the month in which the hearing is held. The department shall promptly inform the client in writing if assistance will not be continued, based on the above determination that the issue is one of policy.
- (3) Assistance shall be reinstated in any case where the notice to reduce, suspend or terminate the grant does not require advance notice, if the recipient requests a fair hearing within ten days of the mailing of the notice of action. Subsection (1) applies.
- (((3))) (4) When a monthly payment has been prorated as provided in WAC 388-33-382(2)(a), and (1)(a) and (1)(b) of this section apply, assistance shall be restored immediately to meet the recipient's needs according to rules and procedures.
- (((4))) (5) Assistance shall not be continued under the provisions in this section if the claimant requests in writing that assistance not be continued.
- (((5))) (6) When the claimant requests a hearing date delay, the state office shall determine the reasonableness of the request and whether assistance will be continued during the extended period.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 388-33-378 DETERMINATION——NOTIFICATION.
- (2) WAC 388-33-380 NOTIFICATION OF SUSPENSION OR TERMINATION OR REDUCTION OF GRANT.

WSR 78-08-054 ADOPTED RULES DEPARTMENT OF LICENSING [Order 504-DOL—Filed July 20, 1978]

I, R. Y. Woodhouse, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to amending WAC 308-08-005 pertaining to agency rules of practice and procedure, by providing that WAC 308-08-010 through 308-08-590 shall apply to administrative procedure under chapters 82.36 and 82.38 RCW; by deleting reference to repealed chapters 46.28 and 46.24 RCW and replacing such reference with chapter 46.29 RCW; and by amending reference to the director of licensing in conformity with chapter 334, Laws of 1977 ex. sess.

This action is taken pursuant to Notice No. WSR 78–06-078 filed with the code reviser on 5/31/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 34.04.022, 82.38.260 and 46.01.110 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 18, 1978.

By R. Y. Woodhouse Director

AMENDATORY SECTION (Reg.08.005; Eff. 3/23/60)

WAC 308-08-005 PORTIONS OF UNIFORM PROCEDURAL RULES APPLICABLE TO VARIOUS SUBAGENCIES. With the purpose of uniformity in mind, the director, under authority granted by statute and pursuant to RCW 34.04 et((:)) seq., does hereby adopt the rules of practice and procedure in the subsequent sections:

(1) Rules WAC 308-08-010 through 308-08-590 apply to administrative procedure in reference to:

RCW Chapter

- 18.32 Dentists
- 18.78 Practical nurses
- 18.85 Real estate brokers and salesmen
- 18.92 Veterinarians
- 21.20 Securities act of the state of Washington
- 46.70 Dealers' licenses (Motor vehicles)
- 82.36 Liquid fuel tax

82.38 Special fuel tax

(2) Rules WAC 308-08-540 through 308-08-590 do not apply to the following agencies:

18.08 Architects

18.36 Drugless healing

18.57 Osteopathy

18.33 Psychologists

46.82 Commercial driver training schools

(3) Rules WAC 308-08-150 through 308-08-220 do not apply to the following agencies:

18.15 Barbers

18.18 Beauty culture

18.22 Chiropodists

18.39 Embalmers

18.74 Physical therapy

46.80 Motor vehicle wreckers

81.72 Passenger for hire licenses

(4) Rules WAC 308-08-150 through 308-08-220 and WAC 308-08-540 through 308-08-590 do not apply to the following agencies:

18.25 Chiropractors

18.29 Dental hygienists

18.34 Dispensing opticians

18.50 Midwifery

18.53 Optometry

18.90 Sanitarians

43.74 Basic science committee

(5) Only rules WAC 308-08-540 through 308-08-590 apply to the following license procedures under the motor vehicle laws:

46.12 Certificates of ownership

46.16 Vehicle licenses

((46.24 ,)) 46.29 Financial and safety

((46.28))

46.76 Motor vehicle transporters

46.84 Reciprocity

((82:36 Liquid fuel tax))

((82.40 Use fuel tax))

The exclusion of certain rules or the applicability of certain rules under this section is based upon the statutory authority given to the director of ((licenses)) licensing by the legislature of the state of Washington. The word agency as used in these sections is interchangeable used with the word department, commission, or board.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-08-055
ADOPTED RULES
GAMBLING COMMISSION
[Order 86—Filed July 20, 1978—Eff. Sept. 1, 1978]

Be it resolved by the Washington State Gambling Commission, acting at Seattle, Washington, that it does promulgate and adopt the annexed rules relating to the licensing and regulation of gambling activities, amending WAC 230-04-140, repealing WAC 230-04-332, adopting WAC 230-04-452 and 230-04-455.

This action is taken pursuant to Notice No. WSR 78-06-131 filed with the code reviser on 6/7/78. Such rules shall take effect at a later date, such date being September 1 1078 and WAC 220 WHAT 100 House 1 1078 and 100 H

tember 1, 1978 as to WAC 230-04-140.

This rule is promulgated pursuant to RCW 9.46.070(16) as relating to WAC 230-04-140 and is intended to administratively implement that statute.

WAC 230-04-452 and 230-04-455 are promulgated pursuant to RCW 9.46.070(10) and are intended to ad-

ministratively implement that statute.

WAC 230-04-452 and 230-04-455 are promulgated pursuant to RCW 9.46.070(13) which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW.

WAC 230-04-332) is promulgated pursuant to RCW 9.46.070(13) which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 13, 1978.

By Mary G. Knibbs Chairman

AMENDATORY SECTION (Amending Order #85, filed 5-25-78)

WAC 230-04-140 LICENSING OF PUBLIC CARD ROOM EMPLOYEES. ((Prior to accepting a position as, or acting as, a public card room employee a person shall first obtain a license from the commission:)) No person shall act as a public card room employee for any employer after 30 days following his first day of work for that employer unless he has applied for and received a license from the commission. On or before the first day he or she actually performs work as a public card room employee, a person shall submit an application for a license to the commission: PROVIDED, that ((this requirement)) the requirements of this section shall not apply to persons employed in a public card room operating under a class B or class D license only.

A sole owner, partner, major officer and/or owner of a substantial interest in a corporation licensed to operate a public card room shall not be required to be additionally licensed as a public card room employee to perform duties in connection with the card room. Except as provided in this section, ((A))an operator of a public card room shall not employ any unlicensed person to perform duties for which a license is required in or in connection with a public card room, and shall take all measures necessary to prevent an unlicensed person from doing so.

The operator of a public card room or partner or officer of the entity operating the card room for which the applicant will work shall sign the application of each such public card room employee acknowledging that the applicant will be working for that operator with the operator's knowledge and consent.

This rule shall be effective as of September 1, 1978.

NÉW SECTION

WAC 230-04-452 PICTURES TO BE POSTED WITH EMPLOYEE LICENSES. The operator of a gambling activity shall post together with each of the licenses of his employees for which licenses are required a picture of that employee. Such picture shall be of a passport type not less than 2" X 3" and clearly showing a full front facial view of that employee.

NEW SECTION

WAC 230-04-455 EMPLOYEES TO WEAR IDENTIFICATION TAGS. Each employee required to obtain a license from the commission shall wear an identification tag at all times while working or playing in the gambling activity on the employer's premises. The identification tag shall be a minimum of 3" X 2" and shall display the employee's full name and the name of the gambling operator or establishment. All information on the identification tag shall be clear and easily visible to the players in the gambling activity. The identification tag shall be worn on the employee's chest. It shall be furnished to the employee by the operator, who shall be equally responsible with the employee to insure the identification tag is displayed as required by this rule.

REPEALER SECTION

The following section of the Washington Administrative Code is repealed:

(1) WAC 230-04-332 CHANGE OF EMPLOYEE OR AGENT IN THE OPERATION OF A CARD ROOM, PUNCHBOARDS OR PULL TABS.

WSR 78-08-056 PROPOSED RULES **DEPARTMENT OF** SOCIAL AND HEALTH SERVICES

(Public Assistance) [Filed July 21, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

ch. 388-63 WAC relating to family homes for retarded Rep adults.

relating to child care agencies-adult ch. 388-73 WAC New homes-minimum licensing family

requirements. ch. 388-75 WAC relating to minimum requirements for li-Rep censing child care agencies and maternity

services. The purpose of this notice is to postpone adoption of

the proposed rules until August 30. Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan Executive Assistant Department of Social and Health Services Mail Stop OB-44 C Olympia, WA 98504;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, August 30, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.15.030.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 78-05-089 and WSR 78-07-047 filed with the code revisers's office on 5/3/78and 6/28/78.

Dated: July 20, 1978 By: David Hogan Executive Assistant

WSR 78-08-057 PROPOSED RULES **DEPARTMENT OF** SOCIAL AND HEALTH SERVICES

(Public Assistance) [Filed July 21, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

ch. 388-15 WAC relating to social services for families, children and adults.

Amd

ch. 388-70 WAC relating to child welfare services-foster care-adoption services-services to unmarried parents.

The purpose of this notice is to postpone adoption of the proposed rules until August 30.

Correspondence concerning this notice and proposed rules attached should be addressed to:

> David Hogan, Executive Assistant Department of Social and Health Services Mail Stop OB-44 C Olympia, WA 98504;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, August 30, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 78-05-094 and WSR 78-07-078 filed with the code revisers's office on 5/3/78and 7/5/78.

> Dated: July 20, 1978 By: David Hogan Executive Assistant

WSR 78-08-058 NOTICE OF PUBLIC MEETINGS UNIVERSITY OF WASHINGTON [Letter, Secretary—July 21, 1978]

In my letter of January 28, 1978 [WSR 78-02-061], I forwarded to you the resolution of the Board of Regents fixing the dates for its regular meetings for 1978.

Since that time, the Board has cancelled the regular meeting for August, previously scheduled for August 11, and it has also decided to meet on November 9, 1978 (morning), a date left open in the original resolution.



Be it resolved by the Washington State Board of Health acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to shell-fish, amending chapter 248-58 WAC.

This action is taken pursuant to Notice No. WSR 78-05-108 filed with the code reviser on May 3, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to <u>RCW 69.30.030</u> and is intended to administratively implement that statute.

The undersigned hereby declare that they have complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED June 28, 1978.

J. W. Wallen, M.D.	-
Chairman	
Irma Goertzen	_
Ramon Esparza Jr.	_
Fred Quarnstrom	<u>_</u> _
	Chairman Irma Goertzen Ramon Esparza Jr.

John A. Beare, M.D. Secretary

AMENDATORY SECTION (Amending Regulation 58.001, effective 3/11/60)

WAC 248-58-001 ((DEFINITIONS—SHELLFISH. For the purpose of these regulations the term "shellfish" is hereby declared to mean and include oysters, all varieties of clams, mussels and scallops.)) SCOPE AND PURPOSE. These requirements, as authorized under chapter 69.30 RCW (chapter 144, Laws of 1955), establish minimum performance standards for the growing, harvesting, processing, packing, storage, transporting, and selling of shellfish for human consumption.

NEW SECTION

WAC 248-58-005 DEFINITIONS. The following definitions shall apply in the interpretation and the implementation of these rules and regulations:

- (1) "Approved" means acceptable to the director based on his/her determination as to conformance with appropriate standards and good public health practice.
- (2) "Director" means the director of the health services division of the department of social and health services, or his/her authorized representative.
- (3) "Easily cleanable" means readily accessible and of such material and finish, and so fabricated that residue may be completely removed by approved cleaning methods.
- (4) "Food contact surfaces" means those surfaces of equipment and utensils with which the shellfish meat normally comes in contact, and those surfaces that drain onto surfaces that may come into contact with said food being processed.
- (5) "Person" means any individual, firm, corporation, partnership, company, association, or joint stock association, and the legal successor thereof.
- (6) "Person in charge" means an individual who is responsible for the supervision of employees and the management of any shellfish operation as defined in subsection (10) of this section.
- (7) "Sanitized" means the treatment of clean surfaces of equipment and utensils by an approved process which is effective in destroying microorganisms, including pathogens.
- (8) "Shellfish" means all fresh or frozen edible species of molluscan bivalves including, but not limited to, oysters, clams, or mussels, either shucked or in the shell, and all fresh edible products thereof intended for human consumption.
- (9) "Shellfish growing areas" means the lands and waters in and upon which shellfish are grown for harvesting for sale for human consumption.
- (10) "Shellfish operation" means any activity in the harvesting, transporting, processing, to include, but not limited to culling, shucking, packing and repacking or shipping or reshipping of shellfish for sale for human consumption.

AMENDATORY SECTION (Amending Regulation 58.010, effective 3/11/60)

WAC 248-58-010 GROWING AREAS((——POLLUTION PROTHBITED)). ((No human excrement or matter containing human excrement shall be placed on the surface of the ground, or buried where it is likely to gain access to any tidal waters over or adjacent to shellfish producing areas unless subjected to a method of disposal and treatment approved by the state department of health.)) (1) All shellfish to be sold as defined in RCW 69.30.010(2), in the state of Washington shall be obtained from approved growing areas or from approved growing areas outside the state that have programs of control and standards equivalent to that of the state of Washington.

(2) Approved shellfish growing areas shall be located in areas not adversely affected by human waste, industrial or natural toxins, recreational use, or other sources of pollutants which may have a detrimental influence on the water quality of the shellfish growing beds and subsequent hazards to the human consumers of shellfish.

(3) No shellfish to be sold as defined in RCW 69.30.010(2), for human consumption, shall be harvested from growing areas which are not approved as provided herein: PROVIDED, That permission may be granted by the director for the removal of shellfish from nonapproved growing areas for relaying to approved growing areas under the following conditions:

(a) Shellfish shall be relayed to a designated, approved growing area for a minimum of two weeks or for a longer time period as prescribed by the director.

(b) Relaying and subsequent removal from the approved area for sale or shipment shall be under the supervision of the director.

(c) Records shall be kept showing growing areas from which the shellfish were taken, where relayed, dates of

relaying, and dates of harvesting.

(4) All boats, oyster harvesters, and floats used for harvesting or transporting shellfish shall be so constructed, operated and maintained as to prevent contamination or deterioration of the shellfish. Approved facilities shall be provided for the disposal of human waste.

AMENDATORY SECTION (Amending Regulation 58.020, effective 3/11/60)

WAC 248-58-020 ((GROWING AREAS—METHODS OF SEWAGE DISPOSAL. (1) Chemical toilets of sufficient capacity and of a type approved by the state department of health may be used in locations adjacent to shellfish producing areas:

(2) A septic tank may be approved for use in locations wherein a subsurface absorption field can be successfully

utilized.

(3) Sewerage systems discharging into tidal waters adjacent to shellfish producing areas must be provided with adequate means of treatment satisfactory to the requirements of the state department of health.)) STORAGE, CLEANSING AND WASHING AND SHIPPING OF SHELL STOCK. (1) Shell stock shall be stored, handled, and shipped under such temperature conditions as will keep them alive, and shall be protected from contamination at all times.

(2) All shell stock prior to opening or shipping shall be reasonably clean so that mud, sand, and extraneous material will not be transferred to the opened product

during processing.

(3) Water used for washing, or "wet storage" (natural storing and cleansing), of shell stock shall be obtained from an approved growing area, or from other sources which meet or exceed the water quality standards of an approved growing area.

(4) Wet storage of shell stock may be practiced only upon approval of the director. A detailed description and map denoting the location of the wet storage area shall

accompany the request.

AMENDATORY SECTION (Amending Regulation 58.030, effective 3/11/60)

WAC 248-58-030 ((GROWING AREAS-PERMISSION TO REMOVE FROM POLLUTED WATERS. No shellfish shall be taken from any waters of the state except from such growing areas as have been approved by the state director of health: PROVIDED, That permission may be granted by the state director of health for the removal of shellfish from polluted waters and to market them after relaying in a large body of clean water, but only under the following conditions: (1) That such permission be granted only to individuals known to be entirely responsible and trustworthy.

(2) That the shellfish be relaid in a designated area of clean water for such period as may be described by the

state department of health.

(3) That the relaying and subsequent removal from the clean area, for sale or shipment, shall be under the supervision of a representative of the state department of health.)) SHUCKING OF SHELLFISH. (1) Shellfish shall be shucked in a manner that will minimize contamination. Only live shellfish shall be shucked. Shucked shellfish shall be processed within one hour after opening or shall be rapidly cooled to a product temperature of forty-five degrees Fahrenheit or less within two hours after shucking.

(2) Shucking containers shall be rinsed with running tap water before each filling. Shucker's colanders shall be rinsed with running tap water at two and one-half

hour intervals or less during use.

(3) Shells from which meats have been shucked shall be removed from the plant at sufficient intervals to prevent the interference with the sanitary operation of the plant.

AMENDATORY SECTION (Amending Regulation 58.040, effective 3/11/60)

WAC 248-58-040 ((STORAGE AND CLEANS-ING. Shellfish shall not be "floated", stored or cleansed in water the standard of purity of which is not at least as rigid as that prescribed for growing areas.)) PACKING OF SHUCKED SHELLFISH. (1) Shucked shellfish shall be protected from contamination during all phases of processing and shall be packed in approved containers which are clean, and free from contamination.

(2) Shucked shellfish shall be maintained at forty degrees Fahrenheit or less until received by the consumer. A temperature of thirty-four degrees Fahrenheit to forty degrees Fahrenheit shall be maintained in refrigerators

where shucked shellfish are stored.

(3) Shellfish which are to be marketed as a frozen product shall be frozen as quickly as practicable and maintained at a product temperature of zero degrees Fahrenheit or less until received by the consumer.

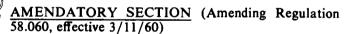
(4) The packing of shucked shellfish shall take place in the same plant in which the shellfish are shucked, unless specific approval for repacking is granted by the director. Repacking plants shall meet all requirements as specified for packing plants. Frozen shucked shellfish shall not be repacked.

H

AMENDATORY SECTION (Amending Regulation 58.050, effective 3/11/60)

WAC 248-58-050 ((BOAT SANITATION: All boats, dredges, scows and floats used in the taking and handling of shellfish shall be kept in such a state of cleanliness and repair that shellfish handled or stored thereon shall not be subject to contamination. Decks, holds, or bins, used for storage on boats, dredges, scows and floats shall not be washed with polluted water. Reasonable precaution shall be observed by fishermen while boats are in waters over shellfish grounds to prevent the pollution of such grounds through the discharge of human wastes.)) PERSONAL HEALTH AND CLEANLINESS. (1) Persons ill with or the carrier of a communicable disease which is transmissable through food and is in the infectious stage, or persons having exposed boils, infected lesions or wounds, or similar skin infections, or persons having an acute respiratory infection shall not work in any growing area, shucking, packing or repacking plant in any capacity where they might contaminate the shellfish or food contact surfaces with pathogenic organisms. Both the person in charge and the employee shall be responsible for compliance with the requirements of this section.

(2) Persons who shuck or handle shucked shellfish shall wear clean, waterproof aprons or coats and clean clothing that can be easily cleaned and shall practice good personal cleanliness during all periods of duty. They shall wash their hands thoroughly with soap and warm water before starting to work and as often thereafter as may be necessary to remove soil and contamination. Gloves or other protective gear worn on the hands shall be made of waterproof, easily cleanable material and shall be clean. When manual handling of shucked shellfish becomes necessary, sanitized rubber gloves shall be worn or the hands shall be thoroughly cleaned immediately before such handling. Effective means shall be taken to keep hair from shellfish (shucked meats) and from food contact surfaces.



WAC 248-58-060 ((CULLING HOUSE SANITATION. Float houses, commonly known as culling houses, shall be kept in a clean and sanitary condition and when used as living quarters must be provided with chemical toilets of a type approved by the state department of health. The chemical toilet shall be equipped with a tank of sufficient capacity to provide for an accumulation of at least three months. Sufficient chemical must be added to tank contents to continuously disintegrate the excreta. Only toilet tissue shall be used. Tank contents must be withdrawn and deposited in a place designated by a representative of the state department of health:

Bath and laundry waste water before being discharged into tidal waters must be treated for a period of five minutes with an effective sterilizing agent equivalent to three parts per million available chlorine (sodium hypochlorite solution, 4.5% available chlorine, 1 teaspoonful

to each 10 gallons of waste water).)) CONSTRUCTION AND MAINTENANCE. (1) Equipment and utensils: All food contact surfaces of equipment and utensils shall be constructed of nontoxic, corrosion resistant, and nonabsorbent materials, designed to be easily cleanable and shall be clean and in an approved condition of repair. Equipment shall be installed and maintained so that it and adjacent areas can be readily cleaned. Articles intended for single service use shall be used only once and then discarded.

Utensils and food contact surfaces of equipment shall be cleaned, sanitized and stored in an approved manner so as to be protected from recontamination. Cleaning and sanitization shall occur before use and at such intervals as necessary to preclude contamination of the shucked product.

Nonfood contact surfaces of equipment shall be constructed of corrosion resistant and nonabsorbent materials, designed to be easily cleanable and shall be clean and in an approved condition of repair.

(2) Physical facilities: The plant shall be so arranged to facilitate the flow of the product through processing and storage areas in a manner that will preclude contamination. Shucking and packing operations shall be conducted in separate rooms. Only authorized persons shall be allowed in the packing room during periods of operation.

Interior surfaces of rooms or areas where shellfish are stored, processed or utensils or hands are washed, and in walk-in refrigerators and freezers shall be easily cleanable, clean and in an approved condition of repair.

Rooms for utensil and packaging material storage shall be provided, and separate from areas which shall be provided for employee clothing storage. These areas shall be separate and apart from the shucking and packing rooms.

Approved lighting, heating and ventilation shall be provided. Approved measures for control of rodents and flies, roaches, and other insects on the premises shall be utilized. Live animals shall be excluded from all areas of the plant.

(3) Sanitary facilities: Hot and cold water adequate in quality and quantity, and under pressure shall be provided or easily accessible to all rooms in which shellfish are processed or utensils are washed. The water supply, plumbing, sewage, garbage and rubbish disposal, handwashing, toilet and other facilities shall be installed, operated, and maintained in an approved manner.

Ice shall be from an approved source and shall be stored and handled in a manner as to be protected from contamination.

Handwashing facilities consisting of a lavatory or lavatories and equipped with hot and cold or tempered running water, hand-cleansing soap or detergent, single service towels or approved hand drying devices shall be located and maintained to permit convenient use by all employees in shellfish processing areas, utensil washing areas, and toilet rooms or vestibules. Such facilities shall be kept clean and in an approved condition of repair.

AMENDATORY SECTION (Amending Regulation 58.070, effective 3/11/60)

WAC 248-58-070 ((EXAMINATION OF EM-PLOYEES. (1) Every applicant for employment shall be examined for evidence of active infection and questioned as to whether the applicant has previously suffered an attack of typhoid (or paratyphoid) fever, or has recently been in intimate contact with any such case. This examination shall be made by a regularly qualified doctor of medicine:

No person who has a communicable disease shall be employed or retained, in any capacity, within the shell-

fish producing area.

(2) In the case of any individual giving a history of a previous attack of typhoid fever or suspected of being a carrier of typhoid (or paratyphoid) bacilli, examination of blood, stools and urine, in the laboratory of the state department of health or in such other laboratory as that department may designate and approve, shall be required. Carriers of typhoid (or paratyphoid) bacilli thus detected must be excluded from employment.)) IDENTIFICATION AND RECORDS. (1) Shellfish shall be so identified by label, tag or other permanent means at the wholesale or retail level that any given container of shucked meats or lot of shell stock can be traced to the original growing area source(s).

(2) Shipments of shellfish in the shell shall be accompanied by a tag, label or other mark showing that the shipper has been duly certified by the state in which the

growing area is located.

(3) Shucked shellfish shall be packed, shipped and sold retail in approved containers that are legibly marked by embossing, lithographing, or other permanent means with the name, address, and certification number of the packer, and the date packed or coded in such a manner that the date packed can be determined. Fresh packs shall be labeled with wording equivalent to "keep refrigerated," and frozen packs shall be labeled with wording equivalent to "keep frozen."

(4) All shippers, reshippers, packers, repackers, and wholesalers shall keep an accurate record of all lots of shellfish received, shipped and sold. Retailers shall keep a record of all lots received. Such records shall be kept

on file for a minimum of six months.

(5) Information recorded by the harvester-shipper shall include: (a) Location of harvesting area(s) by name or code, (b) name and quantity of shellfish, (c) date of

harvest, (d) date shipped.

(6) Shucker-packers and repackers shall record the following information: (a) Location of harvesting area(s) by name or code, or name of harvester, (b) name and quantity of shellfish, (c) date of harvest or date received, and (d) packing date.

AMENDATORY SECTION (Amending Regulation 58.080, effective 3/11/60)

WAC 248-58-080 ((SHUCKING AND PACK-ING PLANTS—CONSTRUCTION. (1) Lighting, heating and ventilation shall be adequate in all parts of the building used. Sufficient light, either natural or artificial, shall be provided to maintain a minimum of 5

foot-candles on all working surfaces when workers are at their working positions. Heat shall be provided to maintain a comfortable temperature.

Ventilation shall be provided sufficient to eliminate odors and discomfort:

- (2) Washing and packing rooms shall be separate from shucking rooms. They shall also be so constructed throughout as to permit easy and thorough cleaning. During fly season all windows and doors of shucking and packing rooms shall be screened. There shall be installed in the partition between the shucking and packing rooms, a delivery window, through which the shucked stock is passed to the packing room. The delivery window shall be provided with a suitable slide or door, and the shelf shall be of smooth metal, concrete, or tile, curbed on the packing room side and drained toward the shucking room.
- (3) Floors shall be constructed of concrete or other impervious material; graded to drain quickly; free from cracks or uneven surfaces; and maintained in good condition.

Walls and ceilings shall be smooth, washable, light-colored, tight, and shall be kept clean.

- (4) Storage bins or storage rooms for shell stock shall be so constructed as to permit easy and thorough cleaning and drainage, and provide protection from contamination at all times.
- (5) Shucking benches shall be of an approved sanitary type. Such benches, and walls immediately adjacent thereto to a height of 2 feet above the benches, shall be of smooth material and so constructed as to be easily and thoroughly cleaned. Shucking blocks shall be removable unless an integral part of the bench, and shall be of solid, one-piece construction. The stands or stalls shall be of finished material and painted where hand contact occurs. There shall be no boxes, shelves, or nails above the benches where miscellaneous articles might accumulate.
- (6) Refrigeration rooms, or ice boxes, for the retention of shellfish must be so constructed as to permit easy and thorough cleaning. The floor shall be graded to drain quickly and an indicating thermometer shall be kept in the refrigerator at a point predetermined to have approximately the highest temperature. Temperatures in refrigerators shall be maintained at 34°F. to 40°F. Drains from refrigeration equipment shall not be connected directly to the sewer.
- (7) Separate sanitary toilets, conveniently located but not opening into shucking and packing rooms, must be provided for each sex. In locations where a sewer is not accessible, chemical toilets of a type approved by the state department of health must be installed.)) CER--CERTIFICATE TIFICATE OF COMPLIANCE— -SUSPENSION FOR REVOCA-OF APPROVAL-TION OF CERTIFICATE OF APPROVAL CENSURE--REVOCATION OF LICENSE. (1) Only shellfish bearing, upon the tag, bill of lading, label or container as required in WAC 248-58-070(2), a certificate of compliance with the sanitary requirements of this state, or a state, territory, province of, or country of origin whose requirements are equal or comparable to

these regulations, may be sold or offered for sale for human consumption in the state of Washington.

- (2) Certificates of approval for shellfish growing areas and/or for shellfish operations, as hereinabove defined, shall be issued and administered as prescribed in chapter 69.30 RCW, and may be denied, suspended, or revoked for any failure or refusal to maintain the sanitary requirements or to comply with the provisions of these regulations or chapter 69.30 RCW.
- (3) No person shall operate a "shellfish operation," as defined hereinabove, without having first obtained a valid operating license issued by the director. Each license shall be issued only for the shellfish operation and person named in the application and no license shall be transferable or assignable except with the written approval of the director. An operating license will be issued to any person who shall evidence:

(a) Possession of, or an approved application for, a valid certificate of approval as described hereinabove;

- (b) Continued compliance by the licensee, the licensee's employees, or those under the licensee's supervision, with the rules and regulations herein and with chapter 69.30 RCW which compliance, in part, shall include the licensee's processing and/or sale of shellfish which have been harvested only from growing areas certified by the director in the name of the licensee or the person from whom the licensee has obtained said shellfish.
- (4) The department shall have cause to deny, revoke, or suspend the license required herein where any licensee has:
- (a) Had his/her certificate of approval, as defined above, and as issued by the department, revoked, suspended, or denied, for any reason;
- (b) Failed or refused to comply with any of the rules and regulations of the state board of health or chapter 69.30 RCW;
- (c) Harvested shellfish from any growing area which does not have a valid certificate of approval issued in the name of said licensee or in the name of the person from whom the licensee has obtained said shellfish;
- (d) Obtained or attempted to obtain an operating license, certificate of compliance or certificate of approval by fraudulent means or misrepresentation.
- (5) All licenses and certificates issued under the provisions of these regulations shall be posted in a conspicuous place on the licensed premises and shall expire on the thirtieth day of September each year.
- AMENDATORY SECTION (Amending Regulation 58.090, effective 3/11/60)

WAC 248-58-090 ((SHUCKING AND PACK-ING PLANTS—EQUIPMENT: (1) Water. The plant shall be provided with an abundant supply of water, under pressure from a source approved by the state department of health. The supply shall be accessible to all parts of the plant, adequate in quantity and of a safe, sanitary quality, approved by the state department of health. No cross-connections with unapproved water supplies shall be permitted:

(2) Hot water under pressure in sufficient amount for all purposes shall be available when the plant is in operation.

- (3) Lavatories with running hot and cold water shall be provided, together with soap and individual towels:
- (4) Utensils. Shucking pails, pans, colanders, skimmers and all utensils and equipment shall be made of a noncorrosive, nonrusting, smooth impervious material. and constructed in such manner as to eliminate grooves, seams, and cracks where food particles and slime will collect. The handles of opening knives should be so constructed as not to contain cracks and crevices which would retain food particles and slime. Agate ware is not permitted to be used.)) ADMINISTRATIVE PROVI-SIONS. (1) The person in charge of shellfish growing areas or processing plant operations shall ensure that operations are conducted in a manner which complies with the requirements of these regulations. The person in charge shall periodically inspect the shellfish operations to determine compliance with these regulations, and shall take measures to correct any deficiencies thereby revealed
- (2) The director shall have access to and be permitted to inspect any and all areas comprising the shellfish operation for the purpose of determining compliance with these regulations and chapter 69.30 RCW, or for the purpose of determining whether any person, shellfish, or condition in the shellfish operation constitutes a nuisance or a threat to the public health.
- (a) In the course of such inspection, the director may, among other things, examine or sample the shellfish in the shellfish operation as often as necessary to determine its safeness for human consumption, and he/she may also examine any and all pertinent records pertaining to shellstock, shellfish or operational supplies purchased, received or used, and records pertaining to persons employed.
- (b) If, after the inspection of a shellfish operation, the director finds that such operation fails to comply with the requirements of the law, rules and regulations, he/she shall issue to the person in charge of the shellfish operation a written order which specifies the manner in which the operation fails to comply with the law, rules and regulations and which sets out a specific and reasonable period of time for correction of the violations.
- (c) In the event the person in charge of the shellfish operation fails to correct the violations as required by the order of the director, the director may revoke the certificate of compliance and/or license of such person and/or initiate such legal enforcement proceeding as authorized by law.
- (d) During or after an investigation or inspection of a shellfish operation, the director may, if he/she suspects that the shellfish are unsafe for human consumption, give to the owner or person in charge of the shellfish operation a written hold order prohibiting the disposition or sale of the shellfish pending the director's further investigation of the shellfish's safety but in no event for a greater period than fifteen days. The person in charge shall thereafter cease from offering such shellfish for human consumption and shall store such shellfish in a suitable place until the hold order is lifted or modified by the director or by a court of competent jurisdiction.
- (e) If after investigation the director determines that the shellfish are unsafe for human consumption, he/she

shall give the owner or person in charge of the shellfish operation a written abatement order, which abatement order may require any or all of the following measures:

(i) A permanent prohibition against the sale or dispo-

sition of the shellfish for human consumption;

(ii) Immediate destruction of the shellfish in question.

(f) When the director, after conducting an appropriate investigation, determines either that:

(i) A shellfish operation or employee is transmitting a

disease; or

- (ii) That there is a substantial risk that a shellfish operation or employee may be transmitting a disease, he/she may thereafter give to the owner or person in charge of the shellfish operation an abatement order, which order may require any or all of the following measures:
- (A) Immediate closure of the shellfish operation until, in the opinion of the director, no further danger of a disease outbreak exists;
- (B) Immediate exclusion of the employee from all shellfish operations or food service establishments;
- (C) Restriction of the employee's service to some area of the operation where there would be no danger of transmitting disease.
- (g) As an alternative to the abatement order described in subparagraph (f) of this subsection, the director may require any or all of the employees to submit to adequate medical and laboratory examinations, including examination of their bodily discharges.
- (h) No person shall remove or alter a notice or tag constituting a hold order or abatement order placed on the shellfish by the director, and neither such shellfish nor its container shall be relabeled, repacked, reprocessed, altered, disposed of, destroyed, or released without permission of the director, except on order by a court of competent jurisdiction.
- (i) In the event that the person in charge of the shell-fish operation fails to comply with either the hold order or the abatement order described above, the director may revoke the certificate of compliance and/or license of such person and/or initiate such legal enforcement proceedings as are authorized by law; except that the director may undertake summary abatement of the shellfish, an article, or a condition which is so severely contaminated or contaminating that a delay in abatement until legal enforcement proceedings could be had would pose a grave threat to the public health.

NEW SECTION

WAC 248-58-500 PENALTY CLAUSE. Any person found violating any of the provisions of these regulations or chapter 69.30 RCW (chapter 144, Laws of 1955), shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars, or imprisonment not to exceed ninety days, or to both fine and imprisonment. Upon violation of any of the provisions of these regulations, written notification shall be sent by the director to the person found in violation. Each day's operation thereafter in violation shall constitute a separate offense, and shall be subject to the prescribed penalties.

NEW SECTION

WAC 248-58-900 SEPARABILITY CLAUSE. Should any section, paragraph, clause or phrase of these rules and regulations be declared unconstitutional or invalid for any reason, the remainder of said rules and regulations shall not be affected thereby.

CREPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 248-58-100 SHUCKING AND PACK-ING PLANTS—OPERATION.
- (2) WAC 248-58-110 SHUCKING AND PACK-ING PLANTS—COMMUNICABLE DISEASES.
- (3) WAC 248-58-120 HANDLING AND SALE SUBSEQUENT TO PRODUCTION AND SHIP-MENT——CERTIFICATION REQUIRED.
- (4) WAC 248-58-130 HANDLING AND SALE SUBSEQUENT TO PRODUCTION AND SHIP-MENT—RECORDS.
- (5) WAC 248-58-140 HANDLING AND SALE SUBSEQUENT TO PRODUCTION AND SHIP-MENT—SHELL STOCK.
- (6) WAC 248-58-150 HANDLING AND SALE SUBSEQUENT TO PRODUCTION AND SHIP-MENT—SHUCKED STOCK.
- (7) WAC 248-58-160 HANDLING AND SALE SUBSEQUENT TO PRODUCTION AND SHIP-MENT——CERTIFICATE OF APPROVAL.
- (8) WAC 248-58-170 HANDLING, PACKING AND SHIPPING OF SHRIMP, CRAB AND LOBSTER MEAT—SANITATION.
- (9) WAC 248-58-180 HANDLING, PACKING AND SHIPPING OF SHRIMP, CRAB AND LOBSTER MEAT—CONSTRUCTION.
- (10) <u>WAC 248-58-190</u> HANDLING, PACKING AND SHIPPING OF SHRIMP, CRAB AND LOBSTER MEAT——EQUIPMENT.
- (11) WAC 248-58-200 HANDLING, PACKING AND SHIPPING OF SHRIMP, CRAB AND LOBSTER MEAT——OPERATION.
- (12) <u>WAC 248-58-210</u> HANDLING, PACKING AND SHIPPING OF SHRIMP, CRAB AND LOBSTER MEAT——COMMUNICABLE DISEASES.
- (13) WAC 248-58-220 HANDLING, PACKING AND SHIPPING OF SHRIMP, CRAB AND LOBSTER MEAT——CERTIFICATE OF APPROVAL.

WSR 78-08-060

ADOPTED RULES
BOARD OF HEALTH
[Order 162—Filed July 24, 1978]

Be it resolved by the Washington State Board of Health acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to reporting of abuse of children and mentally retarded adults. (New section to hospital regulations), new WAC 248–18–202.

This action is taken pursuant to Notice No. WSR 78-05-107 filed with the code reviser on May 3, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 70.41.030 and is intended to administratively implement that statute.

The undersigned hereby declare that they have complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED June 28, 1978.

By J. W. Wallen, M.D.
Chairman

Irma Goertzen
Ramon Esparza Jr.
Fred Quarnstrom

John A. Beare, M.D.
Secretary

NEW SECTION

WAC 248-18-202 ABUSE REPORTS—CHILDREN AND DEVELOPMENTALLY DISABLED ADULTS. A suspected incident of nonaccidental injury, neglect, sexual abuse, or cruelty to a child or developmentally disabled person by a person who appears to be legally responsible for that individual's welfare shall be reported to a law enforcement agency or the department.

- (1) Practitioners obligated to report suspected abuse include licensed practical and registered nurses, physicians and their assistants, podiatrists, optometrists, chiropractors, dentists, social workers, psychologists, and pharmacists.
- (2) The hospital shall make orientation materials, which inform practitioners of their reporting responsibilities, available to practitioners who are employees or who practice within the hospital. The department shall prepare and distribute these materials.
- (3) The hospital shall post in each primary patient care unit notices provided by the department which include appropriate local police and department phone numbers and which state the reporting requirements.
- (4) The medical record of the person who may have been abused by a responsible individual shall reflect the fact that an oral or written report has been made to the department or a law enforcement agency. This note shall contain the date and time that the report was made, the agency to which it was made, and be signed by the person making the report. The contents of the report need not be included in the medical record.
- (5) Conduct conforming with reporting requirements of this section or chapter 26.44 RCW shall not be deemed a violation of the confidential communication privilege of RCW 5.60.060(3) and (4) and 18.83.110.

WSR 78-08-061 ADOPTED RULES

PUBLIC DISCLOSURE COMMISSION [Order 100—Filed July 24, 1978]

Be it resolved by the Public Disclosure Commission, acting at 403 Evergreen Plaza Building, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to state and local agency lobbying.

This action is taken pursuant to Notice No. WSR 78-06-048 filed with the code reviser on 5/23/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 42.17.370(1) and 42.17.160(4) which directs that the Public Disclosure Commission has authority to implement the provisions of the Washington State Open Government Act.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 18, 1978.

By Graham E. Johnson Administrator

NEW SECTION

"COMMUNICATE", "COMMUNICATION", "COMMUNICATION", "COMMUNICATION", AND "LEGISLATION." (1) The terms "communicate", "communication", and "communicating" when used in WAC chapter 390-20 and in RCW 42.17.190 shall be deemed to be synonymous with the statutory definition of "lobbying", RCW 42.17.020(18), and include all oral or written communications or writings of that nature which are made within the specific or general authority of the officer or employee.

(2) The term "legislation", as used in these regulations, shall have the same meaning as defined in RCW 42.17.020(17), but shall not include appropriations or approvals of budgets.

NEW SECTION

WAC 390-20-051 APPLICATION OF RCW 42-17.190 TO LOBBYING OF THE LEGISLATURE AND GOVERNOR. Each agency shall include in its L-5 report the required information regarding communications by its officers and employees with members, officers or employees of the state legislature or with the governor or officers or employees of the governor's office if (1) agency funds were spent for salaries, travel, publications, consultants, etc. for lobbying, or (2) agency officers or employees communicate with members or staff of the legislature on legislation whether on request of a legislator or otherwise when the nature of the communication is to influence legislative action, or (3) agency officers or employees communicate to the legislature requests for legislation, or (4) agency officers or employees attempt

to secure the governor's approval or veto (full or partial) of any measure which has passed the legislature.

NEW SECTION

WAC 390-20-053 APPLICATION OF RCW 42-.17.190 TO LOBBYING OF OTHER AGENCIES. (1) Each agency shall include in its L-5 report the required information regarding its communication with officers or employees of other agencies when the purpose of the communication is to influence:

(a) the adoption or rejection of any proposed rule, standard, rate or other legislative enactment of the other state agency under the Administrative Procedure Act, or

(b) any proposed change to an existing rule, standard, rate or other legislative enactment of another state agency.

(2) No report is required for communications consisting solely of inquiries or factual responses concerning the application of an existing or proposed rule, standard, rate or other legislative enactment of the state agency, where no effort is made to influence the rule-making body.

NEW SECTION

WAC 390-20-055 APPLICATION OF RCW 42-.17.190 TO INTRA-AGENCY ACTIVITY. (1) As to activity taking place within an agency, each agency shall include in its L-5 report information regarding activity which (a) is lobbying as defined in RCW 42.17.020(18), and (b) occurs pursuant to an expressed or implied directive from the governing body or agency head.

(2) Employees of an agency who lobby during their normal working hours on matters not directly affecting the agency or not within the agency's responsibility, or who advocate a position different from the official agency position of the agency while lobbying, must do so while on a status of leave. Any such employee should be aware that they may incur a reporting requirement as any other lobbyist pursuant to RCW 42.17.150, .170 unless exempted by RCW 42.17.160.

AMENDATORY SECTION (Amending Order 97, filed 5/23/78)

WAC 390-20-120 FORMS FOR REPORT OF LEGISLATIVE ACTIVITY BY STATE AND LOCAL GOVERNMENT AGENCIES. Pursuant to the statutory authority of RCW 42.17.190, the official form for report of legislative activity by state and local government agencies as required by RCW 42.17.190 is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "L-5", revised 5/78. Copies of this form may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504.

WSR 78-08-061



TO THE STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

PDC FORM REV. 5/78

LEGISLATIVE ACTIVITIES BY STATE AND LOCAL **GOVERNMENT AGENCIES**

RCW 42.17.190 THIS SPACE FOR OFFICE USE

711 CAPITOL WAY OLYMPIA, WASHINGTON 98504

		
ILE NUMBER	P.M. DATE	DATE RECVD.

PHONE: 208-753-1111 (Type or print clearly) AGENCY OR GOVERNMENTAL ENTITY NAME AND ADDRESS DATE PREPARED REPORT FOR CALENDAR QUARTER ENDING COUNTY MONTH YEAR **LEGAL CITATION AUTHORIZING LOBBYING ACTIVITIES** Authority is expressly granted this agency for lobbying or legislative activity and is contained in the following RCW or ordinance: This agency depends on RCW 42.17.190 as amended for authority to expend public funds in legislative activities. (RCW 42.17.190 is printed on reverse.) IDENTIFICATION OF PERSONS ENGAGED IN LEGISLATIVE RELATED ACTIVITIES DURING PERIOD AND THE NATURE OF SUCH ACTIVITIES NAME JOB TITLE % OF TIME SPENT ON Employee ANNUAL SALARY LEGISLATIVE ACTIVITIES **DURING QUARTER** GENERAL DESCRIPTION OF LEGISLATIVE ACTIVITIES OR OBJECTIVES. (INCLUDE BILL OR WAC NUMBERS IF ANY) % OF TIME SPENT ON NAME JOB TITLE **Employee** ANNUAL SALARY LEGISLATIVE ACTIVITIES **DURING QUARTER** 2 GENERAL DESCRIPTION OF LEGISLATIVE ACTIVITIES OR OBJECTIVES. (INCLUDE BILL OR WAC NUMBERS IF ANY) NAME JOB TITLE ANNUAL SALARY % OF TIME SPENT ON **Employee** LEGISLATIVE ACTIVITIES DURING QUARTER 3

INSTRUCTIONS

GENERAL DESCRIPTION OF LEGISLATIVE ACTIVITIES OR OBJECTIVES. (INCLUDE BILL OR WAC NUMBERS IF ANY)

WHO SHOULD FILE THIS FORM: Each state agency and each city, town, county, municipal corporation, quasi-municipal corporation or special purpose district which expends public funds in providing information, contacting or communicating with members of the state legislature or otherwise lobbying as defined by chapter 42.17.020(18) RCW.

FILING FREQUENCY: Quarterly

Negative reports are not required.

FILING DEADLINE: Apr. 30, July 30,

Oct 30. Jan 30
FORM TO BE SUBMITTED TO: Public Disclosure Commission. 403 Evergreen Plaza Olympia, Washington 98504

ATTACH ADDITIONAL SHEETS IF MORE ROOM IS REQUIRED CONTINUE ON REVERSE

PDC FORM L-5 (Rev. 5/78)

Editions of PDC form L-5 (Rev. 9/75 and 10/77) are obsolete.



ITEMIZED EXPENDITURES BY THE AGENCY FOR LOBBYING OR LEGISLATIVE ACTIVITIES

SALARIES OF PERS		ch person identified as engaged in g on front of this report: y of annual salary x % time lobbying. al for each person, enter sum here ->)	s
TRAVEL EXPENSE	(food, lodging or per diem payments and co	al or private transportation used)	\$
RINTING, PUBLICA	ATIONS OR OTHER LEGISLATIVE INFO	DNAL MATERIAL	s
CONSULTANTS OR	CONTRACTS		\$
OFFICE EXPENSES	(Proportionate cost for staff, secretarial as and other overhead expenses)	, telephone, rent, copying	\$
		TOTAL THIS QUARTER	s
		TOTAL TO DATE THIS YEAR	s

CERTIFICATION: I certify that to the best of my knowledge the above is a true, complete and correct statement in accordance with RCW 42.17.190.

SIGNATURE OF AGENCY HEAD

RCW 42.17.190 Unless authorized by subsection (3) of this section or otherwise expressly authorized by law, no public funds shall be used directly or indirectly for lobbying: PROVIDED, this shall not prevent officers or employees of an agency from communicating with a member of the legislature on the request of that member; of communicating to the legislature, through the proper official channels, requests for legislative action or appropriations which are deemed necessary for the efficient conduct of the public business or actually made in the proper performance of their official duties: PROVIDED FURTHER, That this subsection shall not apply to the legislative branch.

(3) Any agency, not otherwise expressly authorized by law may expend public funds for lobbying but such lobbying activity shall be limited to (a) providing information or communicating on matters pertaining to official agency business to any elected official or officer or employee of any agency or (b) advocating the official position or interests of the agency to any elected official or officer or employee of any agency:

PROVIDED, That public funds shall not be expended as a direct or indirect gift or campaign contribution to any elected official or officer or employee of any agency. For the purposes of this subsection, the term "gift" shall mean a voluntary transfer of anything of value without consideration of equal or greater value, but shall not include informational material transferred for the sole purpose of informing the recipient about matters pertaining to official agency business: PROVIDED FURTHER, That this section shall not permit the printing of a state publication which has been otherwise prohibited by law.

- (4) Each state agency which expends state funds for lobbying pursuant to an express authorization by law and each state agency, county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district which expends public funds for lobbying pursuant to the authorization contained in subsection (3) of this section or whose officers or employees communicate on legislation directly affecting the agency to members of the legislature on request of any member or communicate to the legislature requests for legislation shall file with the commission quarterly statements providing the following information for the quarter just completed:
 - (a) The name of the agency filing the statement;
- (b) The name, title, and job description and salary of each elected official, officer, or employee engaged in such activities, a general description of the nature of the activities, and the proportionate amount of time spent on the activities;
- (c) An itemized listing of any expenditures incurred by the agency for such activities.

The statements shall be in the form and the manner prescribed by the commission and shall be filed within thirty days after the end of the quarter covered by the report.

(5) The provisions of this section shall not relieve any elected official or officer or employee of an agency from complying with other provisions of this chapter, if such elected official, officer, or employee is not otherwise exempted.

RCW 42.17.370(8) The term "legislative information" . . . means books, pamphlets, reports and other materials prepared, published or distributed at substantial cost, a substantial portion of which is to influence the passage or defeat of any legislation.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-08-062 PROPOSED RULES HIGHER EDUCATION PERSONNEL BOARD [Filed July 24, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Higher Education Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd WAC 251-04-040 Exemptions to conform with statutory language regarding out-of-state community college education programs and to clarify definition of temporary employee. Position reallocation—Effect on incum-WAC 251-06-080 bent to clarify the manner in which salaperiodic increments and established following reallocation. Layoff lists-Statewide to clarify manner Amd WAC 251-10-060 in which individuals may have their names placed on such lists. WAC 251-18-130 Examination—Veterans preference to clarify that preference is added to an individual's final passing score on an

that such agency will at 10:00 a.m., Thursday, September 21, 1978, in the Samuelson Union Building, Central Washington University, Ellensburg, conduct a hearing relative thereto:

examination.

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, September 21, 1978, in the Samuelson Union Building, Central Washington University, Ellensburg.

The authority under which these rules are proposed is RCW 28B.16.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 21, 1978, and/or orally at 10:00 a.m., Thursday, September 21, 1978, Samuelson Union Building, Central Washington University, Ellensburg.

Dated: July 24, 1978 By: Douglas E. Sayan Director

AMENDATORY SECTION (Amending Order 64, filed 12/23/77)

WAC 251-04-040 EXEMPTIONS. The following classifications, positions, and employees of higher education institutions/related boards are hereby exempted from coverage of this chapter.

(1) Members of the governing board of each institution/related board; all presidents, vice presidents and their confidential secretaries, administrative and personal assistants; deans, directors, and chairmen; academic personnel; ((and)) executive heads of major administrative or academic divisions employed by institutions of higher education; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington.

(2)(a) Students employed under separately funded student assistance work programs, or who are employed in a position directly related to the major field of study to provide training opportunity; or who are elected or appointed to student body offices or student organization positions such as student officers or student news staff members

(b) Persons employed in a position scheduled for less than twenty hours per week or on an intermittent employment schedule.

- (c) Temporary employees filling positions identified in subsection (2) of the definition of "temporary employment" in WAC 251-04-020(((54)(b))).
- (d) Part time professional consultants retained on an independent part time or temporary basis such as physicians, architects, or other professional consultants employed on an independent contractual relationship for advisory purposes and who do not perform administrative or supervisory duties.

(3) The director, his confidential secretary, assistant directors, and professional education employees of the state board for community

college education.

(4) The personnel director of the higher education personnel board

and his confidential secretary

(5) The governing board of each institution/related board may also exempt from this chapter, subject to the employee's right of appeal to the higher education personnel board, classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training, and principal assistants to executive heads of major administrative or academic divisions, as determined by the higher education personnel board: PROVIDED, That no nonacademic employee engaged in office, clerical, maintenance, or food and trades services may be exempted by the higher education personnel board under this provision.

(6) Any employee who believes that any classification should or should not be exempt, or any employee because of academic qualifications which would enable such employee to teach and thus be exempt, may appeal to the board in the same manner as provided in WAC

251-12-080, et seq.

- (7) Any employee having a classified service status in a position may take a temporary appointment in an exempt position, with the right to return to the regular position, or to a like position, at the conclusion of such temporary appointment. Application for return to classified service must be made not later than thirty calendar days following the conclusion of the exempt appointment.
- (8) When action is taken to convert an exempt position to classified status, the effect upon the incumbent of such position shall be as provided in WAC 251-18-420.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-06-080 POSITION REALLOCATION—EFFECT ON INCUMBENT. (1) An employee occupying a position that is reallocated to a class with a higher salary range maximum, is affected as follows:

(a) When reallocation is a result of an accumulation of duties by the incumbent over a period of at least six months, the incumbent may elect to remain in the position following reallocation providing he/she meets the minimum qualifications for the class. The minimum qualifications may be waived by the director if it is determined that the incumbent has demonstrated sufficient experience to satisfactorily perform the duties of the class. Successful completion of the higher level duties by the incumbent for at least six months satisfies the examination requirement and confers permanent status. Documentation of such service shall be kept on file for each reallocation request approved:

(b) When reallocation will require immediate changes in the duties of the position, it will be filled in accord with chapter 251-18 WAC. The incumbent will be given an opportunity to compete for the position. If the employee is not selected, or chooses not to compete, sub-

section (2)(a), (b), and (d) will apply.

(2) An employee occupying a position which is reallocated to a class with a lower salary range maximum has the following options:

(a) Transfer to a vacant position within the current class;

(b) Be afforded such bumping rights and placement on layoff lists as would be provided in layoff;

(c) Demote with the position;

(d) In addition, the employee may make him/herself available for appointment on or before the effective date of the reallocation via the institution's transfer/lateral movement/voluntary demotion procedure.

(3) Establishment of salary and periodic increment following reallocation shall be as provided in WAC 251-08-100 and 251-08-112.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-10-060 LAYOFF LISTS—STATE-WIDE. (1) A permanent employee of any institution of higher education, related board, or state agency who is on layoff status or is scheduled for layoff shall ((be offered the option of placement)), upon his/her request, be placed on the state-wide layoff list(s) at ((all of the)) any higher education institutions((f)) or related boards: PROVIDED, That:

(a) The employee must demonstrate the ability to meet the mini-

mum qualifications and pass the qualifying examination; and

(b) The list must be for ((the)):

(i) Class(es) in which ((they have)) he/she has held permanent status ((appointment and)); or

(ii) Lower class(es) in the same class series((;)); or for ((those))

(iii) Equivalent classes under the jurisdiction of the state department of personnel ((provided they can meet the minimum qualifications and pass the qualifying examination. This)); and

(c) The option must be exercised by the affected employee within

thirty calendar days of the effective date of layoff.

(2) Employees shall be ranked by their total layoff seniority as measured by their last period of unbroken service in the classified service of the state. The list shall consist of two categories and certification within each category shall be in order of:

(a) Employees of higher education institutions/related boards;

(b) Employees of other state agencies.

(3) The duration of eligibility on this list shall be one year from the date of placement on the list.

(4) Referral from this list shall be on a rule of three.

(5) Employees appointed from this list shall be required to serve a probationary period of six months. Termination during the probationary period shall not affect the employees' status on state-wide layoff lists upon which they previously have been placed.

(6) Employees appointed from this list shall be credited with unused sick leave accrued at the time of layoff. Annual leave shall be comput-

ed as provided in WAC 251-22-060.

(7) The institution will provide each employee scheduled for layoff with a copy of this rule and the comparable state department of personnel rule and a listing of institutions, related boards, or offices of the state department of personnel which they may contact. It shall be the responsibility of the employee to contact the institution/related board, or the state department of personnel if he/she has an interest in being placed on the respective state-wide layoff list(s).

(8) Certification from the state-wide layoff list shall be as provided

in WAC 251-18-240.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-18-130 EXAMINATION—VETERANS PREF-ERENCE. The claiming of the following veterans preference provisions is the responsibility of the applicant and must be claimed within

eight years of the date of release from active service.

- (1) The term "veteran" as used in these rules shall include any person who has served in any branch of the armed forces of the United States during World War I, World War II, the Korean Conflict, the Viet Nam era, and the period beginning on the date of any future declaration of war by Congress and ending on the date prescribed by presidential proclamation or concurrent resolution of the Congress. "Viet Nam era" shall mean the period beginning August 5, 1964, and ending on May 7, 1975.
- (2) Only persons who received an honorable discharge; a physical discharge under honorable conditions; or who were released from active duty under honorable circumstances shall be eligible for veterans preference.

(3) Only those veterans who receive a passing <u>final</u> score on an examination, prior to addition of veterans preference, shall be eligible to

receive such preference.

- (4) In all competitive examinations, veterans shall be given a preference by adding to their achieved passing <u>final</u> scores, based upon a possible rating of one hundred points as perfect, a percentage of the achieved score under the following conditions:
- (a) Ten percent (((10%))) of the passing ((examination)) final score to a veteran who is not receiving any veterans retirement payments. This preference shall be utilized in open-competitive examinations until the veteran's first appointment and not in any promotional examination.
- (b) Five percent (((55%))) of the passing ((examination)) final score to a veteran who is receiving any veterans retirement payments. This

percentage shall be utilized in open-competitive examinations until the veteran's first appointment and not in any promotional examination.

(c) Five percent (((55%))) of the passing ((examination)) final score to a veteran who, after having previously received employment with the state, is called, or recalled, to active military service for one or more years during any period of war. This preference shall be limited to the first promotional examination following return from military service.

WSR 78-08-063 EMERGENCY RULES DEPARTMENT OF NATURAL RESOURCES [Order 296—Filed July 25, 1978]

- I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule describing logging restrictions in western Washington effective at 1200 (noon) today, July 25, 1978, through midnight Thursday, July 27, 1978.
- I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that the observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing forecast and weather conditions, the areas included in logging restrictions are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 25, 1978.

By Bert L. Cole Commissioner of Public Lands

NEW SECTION

WAC 332-26-503 LOGGING RESTRICTIONS IN WESTERN WASHINGTON ON AREAS UNDER PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN THE OLYMPIC AREA. Effective at 1200 (noon) today, July 25, 1978, through midnight Thursday, July 27, 1978, hoot owl logging restrictions shall be in force in Zone 2 in Grays Harbor and Jefferson Counties, Zone 3 in Clallam County and Zone 17 in Clallam County, all in the Olympic Area.

During the period of shutdown commencing at 1200 (noon) daily, all logging land clearing, milling, and other operations that may cause a forest fire to start are to be shutdown on all forest lands protected by the Department of Natural Resources in the above areas.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashings, except those persons present in the interest of fire protection.

Burning Permits in Burning Permit Zones B and C are cancelled in the above-noted Shutdown Zones.

WSR 78-08-064 NOTICE OF PUBLIC MEETINGS CLARK COLLEGE

[Memorandum—July 19, 1978]

The members of the Clark College Board of Trustees will meet on Thursday, August 3, in the Applied Arts No. 5 Conference Room on the campus at 4:30 p.m. This meeting is designed as a discussion session to review goals and objectives of the college. No action will be taken.

The next meeting of the Board will be Tuesday, September 19, 1978, as previously scheduled.

WSR 78-08-065 EMERGENCY RULES COMMISSION ON EQUIPMENT

[Order 7740 B-Filed July 25, 1978]

Be it resolved by the Washington State Commission on Equipment, acting at General Administration Building, Olympia, Washington 98504, that it does promulgate and adopt the annexed rules relating to quartz halogen headlamps, chapter 204-65 WAC.

We, Washington State Commission on Equipment, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the 1977 legislature mandated the Commission on Equipment to adopt standards for quartz halogen headlamps and to remove any state imposed limitation on their use. There are continuing unresolved questions about the legal impact of federal law on such action that needs to be answered before any permanent action should be taken. However, during this controversy, numerous citizens of this state believing the use of these headlamps to be permissible, have installed them on their vehicles.

Therefore, it is necessary to continue an emergency regulation approving the use of quartz halogen head-lamps as a matter of state regulation so as to avoid leaving such citizens in jeopardy of unnecessary and undesirable traffic offender action by state and local authorities.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 46.37.005 and 46.37.320 which directs that the Washington State

Commission on Equipment has authority to implement the provisions of RCW 46.37.320.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 21, 1978.

By R. W. Landon Chairman

Chapter 204–64 WAC QUARTZ HALOGEN HEADLAMPS

WAC	
204-64-010	Purpose
204-64-020	Definition
204-64-040	Approved Procedure
204–64–060	Application for Certificate of Approval
20464080	Installation, Aiming, and Adjustment
204-64-100	Application of These Regulations

NEW SECTION

WAC 204-64-010 PURPOSE. By authority of R.C.W. 46.37.005 and 46.37.320, the Commission on Equipment hereby adopts the following regulation pertaining to the approval, installation, adjustment, and aiming of quartz halogen headlamps.

NEW SECTION

WAC 204-64-020 DEFINITION. Quartz halogen headlamps are those that meet the standards established by the United Nations' Agreement concerning the adoption of approval and reciprocal recognition of approval for motor vehicle equipment and parts agreed upon at Geneva on March 20, 1958, as amended and adopted by the Canadian Standards Association (CSA Standard D106.2).

NEW SECTION

WAC 204-64-040 APPROVAL PROCEDURE. The Commission on Equipment shall issue a certificate of approval to manufacturers of quartz halogen head-lamps for sale of such lighting devices in this state when such manufacturer submits proper certification that such device conforms with Canadian Standards Association Standard D106.2. All applications shall include a copy of the CSA approval and shall be submitted to the Commission on Equipment for approval. The address is Secretary, Commission on Equipment, General Administration Building AX-12, Olympia, Washington 98504.

NEW SECTION

WAC 204-64-060 APPLICATION FOR CERTIFICATE OF APPROVAL. The application for the certificate of approval for quartz halogen headlamps shall include the following information as shown in the sample:

Date:

Secretary Commission on Equipment General Administration Building AX-12 Olympia, Washington 98504

Ianufacturer:	
CE Approvat Markings on Front Lons	
ealed Beam Replacement Size:	
tandard Vehicle Equipment on:	
Manufacturer's Representative in the State f Washington:	
pplicant:	

NEW SECTION

WAC 204-64-080 INSTALLATION, AIMING, AND ADJUSTMENT. Prior to approval for sale and use of quartz halogen headlamps, manufacturers shall submit for approval to the Commission on Equipment a copy of an instructional guide, pamphlet, brochure, or other written information which will be provided to the consumer by the manufacturer. The instructional guide shall describe in easily readable text, diagrams, or pictures the proper procedures for the installation, aiming, and adjustment of quartz halogen headlights. The manufacturer shall provide the approved instructional guide at no charge in each individual package of quartz halogen headlamps. Headlamps shall comply with the requirements of, limitations of, and shall be installed and maintained in accordance with Chapter 46.37, RCW.

NEW SECTION

WAC 204-64-100 APPLICATION OF THESE REGULATIONS. These regulations are intended to apply only to Washington State Headlamp Standards. These regulations do not in any way affect the application of laws, regulations, or standards pertaining to headlight standards promulgated by any other state or by the federal government.

WSR 78-08-066 EMERGENCY RULES COMMISSION ON EQUIPMENT [Order 7303 A—Filed July 25, 1978]

Be it resolved by the Washington State Commission on Equipment, acting at General Administration Building, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to load fastening devices, chapter 204-44 WAC.

We, Washington State Commission on Equipment, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is RCW 46.37.490 requires a load being transported upon a public highway of this state to be securely fastened and protected by safety chains or other devices. The Commission on Equipment is authorized to adopt reasonable rules and regulations as to what will constitute adequate and safe chains or other devices for the fastening and protection of loads upon vehicles. These regulations more adequately define load fastening devices (wrappers and binders) proper placement, and number of devices required to be used on a load of logs being transported upon a public highway. The previous regulations were too broad and did not adequately address the safety precautions and measures to be taken for safe movement of logs.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 46.37.005, 46.37.010 and 46.37.490 which directs that the Washington State Commission on Equipment has authority to implement the provisions of RCW 46.37.490.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 21, 1978.

By R. W. Landon Chairman

Chapter 204–44 WAC ((STANDARDS FOR)) LOAD FASTENING DE-VICES

WAC 204-44-020

AMENDATORY SECTION (Amending Order 7606, filed 2/24/76)

WAC 204-44-020 STANDARDS FOR LOAD FASTENING DEVICES. (1) Any motor truck, truck tractor, trailer, semi-trailer, or any combination thereof, transporting logs ((or any other load)) upon a public highway where binder devices are required, shall have

the load thereon securely fastened and protected ((by at least two load binders sufficiently strong to withstand all possible strains.)) as follows:

(a) Placement and number of wrappers required on

log trucks using stakes.

- (i) In the hauling of one log loads, one wrapper chain or cable shall be required and it shall be secured to the rear bunk and the log shall be properly blocked in a manner which will prevent it from rolling or shifting.
- (ii) In the hauling of two log loads, not less than two wrapper chains or cables shall be used to secure the load. The logs shall be properly blocked to prevent them from rolling or shifting.
- (iii) On loads consisting ov three or four logs not over 44 feet in length, the load shall be secured by not less than two properly spaced wrapper chains or cables. Ends of short logs not secured by such wrappers shall be secured with extra wrappers. If any log is over 44 feet in length, the load shall be secured by not less than three properly spaced wrappers.
- (iv) Loads consisting of five or more logs, when the logs are all 17 feet or less in length, shall be secured by not less than two properly spaced wrappers. Loads consisting of five or more logs, when any log is over 17 feet in length, shall be secured by not less than three properly spaced wrappers.
- (b) Placement and number of wrappers required on log trucks using chock blocks.
- (i) In the hauling of one log load, one wrapper chain or cable shall be required and secured to the rear bunk and the log shall be properly blocked in a manner to prevent it from rolling or shifting.
- (ii) One additional wrapper chain or cable shall be required on log trucks using chock blocks over and above the requirements in subdivisions (a) (iii) and (iv) of this section.
- (c) Placement and number of wrappers required on crosswise loaded trucks, trailers, etc. In the case of short logs loaded crosswise, the following method of securing the load shall be used if the truck or trailer is not provided with solid ends of a height sufficient to prevent any log in the load from rolling off: Not less than two chock blocks shall be used at each open end of the vehicle and the load shall be held with at least two wrapper chains or cables. The wrappers shall be firmly attached to the end of the truck or trailer. Rigid standards or stakes may be used in lieu of chock blocks but each such standard or stake shall be either rigidly connected to the bed of the truck or trailer or shall be placed in a tight fitting socket at least 12 inches in depth. Other means furnishing equivalent security may be acceptable.
- (d) Wrapper placement. When two wrappers are required, they shall be applied within six feet of the front and rear bunks. When more than two wrappers are required, the front and back binder shall be applied within six feet of the front and rear bunks.
- (e) Short logs. To properly secure short logs, binders shall be placed near the end, not less than 12 inches from the end of the log.
- (f) Log on top or in outside saddle. No log loaded on top or in outside saddles of a load shall be transported unless secured by not less than two wrapper chains or

- cables, one of which shall be placed near each end of such log.
- (g) Fasten in place. All wrappers and binders shall be fastened in place prior to tightening to prevent the displacement of logs on the top of the load.
- (h) Surround load. All wrapper chains or cables, except in the case of one log loads, shall entirely surround the load. This does not apply to gut-wrappers.
- (i) Gut-wrappers. Gut-wrappers, when used, shall be adjusted so as to be tightened by, but not carry the weight of the logs above them.
- (j) Wrappers and binders to be placed before leaving immediate loading area. Wrappers and binders shall be placed and tightened around the completed load before the truck leaves the immediate loading area.
- (k) Wrappers and binders required. When logs or log chunks could roll or slide off the truck due to snow or ice conditions, or the logs or log chunks do not extend beyond the stakes, at least two wrappers and binders shall be used regardless of the height of the load.
- (1) Construction of wrappers and binders. Wrapper chains or cables, binders, fasteners, or attachments thereof, used for any purpose as required by these standards, shall have a minimum breaking strength of not less than 15,000 pounds and shall be rigged so that it can be safely released.
- (m) Bundle straps or banding. For the purposes of this standard, applied bundle straps or banding are not acceptable as wrappers and binders.
- (n) Loose ends secured. All loose ends of wrapper chains or cables shall be securely fastened so as to prevent their swinging free in a manner that will create a hazard.
- (o) Binder hook design. Binders for securing wrappers on logging trucks shall be fitted with hooks of proper size and design for the wrapper chain being used.

 (p) Defective wrappers. Wrappers shall be removed
- (p) Defective wrappers. Wrappers shall be removed from service when any of the following conditions exist:
 - (i) Excessively worn links on chains;
 - (ii) Deformed or stretched chain links,
 - (iii) Cracked chain links;
- (iv) Frayed, stranded, knotted, or otherwise defective wire rope.
- (q) Binder extensions. Pipe extension handles (swedes) for tightening or securing binders shall be limited to not longer than 36 inches. Care shall be taken that a sufficient amount of the pipe extends over the binder handle.
- (r) Defective binders. Defective binders shall be immediately removed from service.

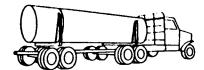
NOTE: See Figures I and II for illustrations of placement and number of wrappers.

(2) Any motor truck, truck tractor, trailer, semitrailer, or any combination thereof, transporting any load other than logs, upon a public highway where binder devices are required, shall have the load thereon securely fastened and protected by at least two load binders sufficiently strong to withstand all possible strains. The load securing devices shall have a breaking strength of at least 15,000 pounds. Exception: Binders used to secure baled hay and baled straw shall have a breaking strength of not less than 9,000 pounds. (Order

7606, & 204-44-020, filed 2/24/76. Prior: Order 7303, & 204-44-020, filed 12/19/73.)

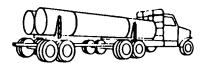
PLACEMENT AND NUMBER OF WRAPPERS

One Log Load



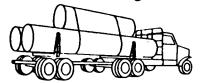
One wrapper required which shall be secured to rear bunk. Log shall be blocked to prevent it from rolling or shifting.

Two Log Load



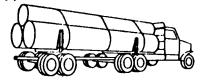
A minimum of two wrappers required. Logs shall be blocked to prevent them from rolling or shifting.

Three or Four Log Load 44 Ft. or Less



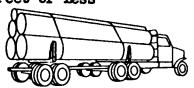
A minimum of two wrappers required.

Three or Four Log Loads More Than



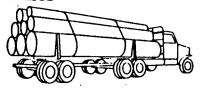
A minimum of three wrappers required.

Five or Six Log Load All Logs 17 Feet or Less



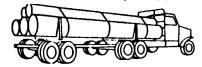
A minimum of two wrappers required.

Seven or More Log Load All 17 Feet or Less



A minimum of two wrappers required.

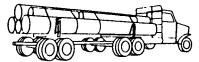
Five or More Log Load If Any Logs Are More Than 17 Feet



A minimum of three wrappers required.

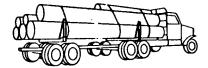
Figure No. 10-A

Outside Logs or Top Logs



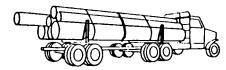
All outside or top logs shall be secured by a wrapper near but not within 12 inches of each end.

A Wrapper Shall Be Near Each Bunk



Each load shall be secured by having a wrapper within 6 feet of each bunk except on one log loads.

Proper Support For Logs



Not more than approximately onethird the weight of any log shall extend beyond the end of the logs or bunk supporting it.

Short Logs Loaded Crosswise



A minimum of two wrappers are required and two chocks or stakes shall be used on the open end of the truck.

NOTE: All loads of logs on logging trucks equipped with chock blocks instead of stakes, shall have at least one additional wrapper over and above the requirements for trucks equipped with stakes, excepting on one and two log loads and trucks with short logs loaded crosswise.

Figure No. 10-B

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 78-08-067 PROPOSED RULES COLUMBIA BASIN COLLEGE

[Filed July 26, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Columbia Basin College, intends to adopt, amend, or repeal rules concerning WAC 132S-08-100 Tenure consideration. Changing titles of positions deemed nontenurable;

and that the adoption, amendment, or repeal of such rules will take place at 7:30 p.m., Monday, 9/11/78, in the Board Room, Columbia Basin College.

The authority under which these rules are proposed is chapters 28B.10 and 28B.50 RCW.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to 9/11/78, and/or orally at 7:30 p.m., Monday, 9/11/78, Board Room, Columbia Basin College.

Dated: July 18, 1978
By: F.H. Esvelt
Secretary

AMENDATORY SECTION (Amending Order 70-1, filed 3/5/70)

WAC 132S-08-100 TENURE CONSIDERATION. (1) A probationary faculty appointee shall acquire tenure by operation of law if service with the college exceeds three consecutive regular college years of full-time academic employment.

(2) ((The following positions are deemed by the appointing authority to constitute administrative appointments, which positions are deemed nontenurable:

(a) president

- (b) dean of instruction
- (c) dean of students
- (d) business manager
- (c) director of admissions
- (f) director of guidance
- (g) director of student affairs
- (h) director of athletics
- (i) director of financial aid
- (j) associate dean of instruction
- (k) associate dean of occupational instruction
- (1) associate dean of adult education))

The positions listed in WAC 132S-18-020 CLASSIFIED EMPLOY-EE EXEMPTIONS are deemed by the appointing authority to constitute administrative (exempt) appointments, which positions are deemed non-tenurable.

(3) An individual who shall serve in any position enumerated in ((paragraph (2) of this rule)) WAC 132S-18-020 CLASSIFIED EMPLOYEE EXEMPTIONS and who shall additionally serve as a teacher, counselor, librarian or other comparable position shall be eligible for an award of tenure to the extend such an individual has had or does have status as a teacher, counselor or librarian.

(4) Tenure may be awarded to an individual probationary faculty appointee at any time by the appointing authority after giving reasonable consideration to a specific recommendation from the review committee which recommendation can be made at any time during a probationary faculty appointee's service.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 78-08-068 PROPOSED RULES COLUMBIA BASIN COLLEGE

[Filed July 26, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Columbia Basin College, intends to adopt, amend, or repeal rules concerning chapter 132S-190 WAC Instructional responsibilities and workload standards;

and that the adoption, amendment, or repeal of such rules will take place at 7:30 p.m., Monday, 9/11/78, in the Board Room, Columbia Basin College.

The authority under which these rules are proposed is RCW 28B.16.040 and chapter 28B.10 RCW.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to 9/11/78, and/or orally at 7:30 p.m., Monday, 9/11/78, Board Room, Columbia Basin College.

Dated: July 18, 1978 By: F.H. Esvelt Secretary

Chapter 132S-190 WAC INSTRUCTIONAL RESPONSIBILITIES AND WORKLOAD STANDARDS

WAC

*****	·
132S-190-010	Instructional Responsibilities
132S-190-020	Workload Standards
132S-190-030	Development of Written Syllabi
132S-190-040	Verification of Class Roster
132S-190-050	Extended Day Duty Assignments
132S-190-060	Split Shift - Librarians and Guidance Counselors

NEW SECTION

WAC 132S-190-010 INSTRUCTIONAL RESPONSIBILITIES. The primary responsibility of the academic employee is to serve the student primarily through classroom faculty/student contact or by indirect assistance, i.e., advisement, conferencing, etc., as related to the learning process. These responsibility factors are established to ensure an appropriate balance of individual faculty assignments in relation to: (1) the total institution; (2) intra and inter-division; or (3) the individual instructor.

(1) Guidelines to be used in developing an instructor's responsibility schedule within the work weeks of a quarter will be the responsibility of the division chairman and the academic employees of the division, with final approval by the dean of instruction.

(2) Each individual academic employee shall work with his division chairman to develop a weekly responsibility schedule in conformance to the guidelines.

(3) This responsibility schedule shall be for a thirty hour week, plus a designated lunch period.

(4) Approval of such a responsibility schedule shall be vested with the dean of instruction or his designee no later than the end of the first instructional week of each quarter during the regular academic year.

(5) Accountability to the posted responsibility schedule may be expected on campus by notifying the appropriate division chairman. Exception to the responsibility schedule for off-campus reasons must be approved by the dean of instruction or his designee.

NEW SECTION

<u>WAC 132S-190-020</u> WORKLOAD STANDARDS. The workload standards for full-time contracted academic employees shall include the following:

(1) 15 minimum and 17 maximum student contact hours per week, per quarter, for straight lecture mode;

(2) 19 minimum and 22 maximum student contact hours per week, per quarter, for lecture/lab mode; e.g., science, art, music, physical education;

(3) 22 minimum and 27 maximum student contact hours per week, per quarter, for a predominantly lab mode; e.g., occupational programs, skills labs; and,

(4) 35 student contact hours per week, per quarter, for counselors

and librarians.

Hourly ranges are designed to reflect both existing programs and provide flexibility to meet future programs needs. Academic employees who have met minimum hours per week per quarter will not be required to teach extended day classes except as provided in paragraph E hereinafter.

NEW SECTION

WAC 132S-190-030 DEVELOPMENT OF WRITTEN SYL-LABI. Each full time academic employee shall develop written syllabi for each course taught, which shall be updated annually by the end of the second week of each fall quarter. Employees shall make provision for continuity of their instructional assignment, should an instructor be absent for any reason.

NEW SECTION

WAC 132S-190-040 VERIFICATION OF CLASS ROSTER. Upon receipt of the class roster printout, the academic employee shall verify the class roster with the registrar.

NEW SECTION

WAC 132S-190-050 EXTENDED DAY DUTY ASSIGN-MENTS. Academic employees may be assigned to instructional duties during extended day in order to conform to minimum provisions of their responsibility as stated in WAC 132S-190-020. If such assignment exceeds one class per quarter, the assignment must be made only with the consent of the employee.

NEW SECTION

WAC 132S-190-060 SPLIT SHIFT - LIBRARIANS AND GUIDANCE COUNSELORS. Librarians and guidance counselors shall not be assigned a split shift without the consent of the academic employee.

WSR 78-08-069 PROPOSED RULES COLUMBIA BASIN COLLEGE [Filed July 26, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Columbia Basin College, intends to adopt, amend, or repeal rules concerning WAC 132S-18-020 Classified employees exemptions. Changing titles and positions of exempt personnel;

and that the adoption, amendment, or repeal of such rules will take place at 7:30 p.m., Monday, 9/11/78, in the Board Room, Columbia Basin College.

The authority under which these rules are proposed is chapters 28B.10, 28B.50 RCW and RCW 28B.16.040.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to 9/11/78, and/or orally at 7:30 p.m., Monday, 9/11/78, Board Room, Columbia Basin College.

Dated: July 18, 1978 By: F.H. Esvelt Secretary

AMENDATORY SECTION (Amending Order #70, filed 5/7/70)

WAC 132S-18-020 CLASSIFIED EMPLOYEE EXEMP-TIONS. Pursuant to RCW 28B.16.040 the following positions at Columbia Basin College and in Community College district No. 19, state of Washington, are deemed exempt from the provisions of Chapter 28.16 RCW:

((+:)) (1) Members of the Board of Trustees; ((2:)) (2) President; ((3:)) (3) Administrative officers;

((a.)) (a) Administrative assistant ((for business or financial affairs;)) to president;

((b.)) (b) Dean of ((Students Services;)) Administration;

((e:)) (c) Dean of Instruction;

((d.)) (d) ((Associate Dean of Occupational Education;)) Dean of Student Services;

((e:)) (e) Associate Dean ((for Academic Transfer;)), Vocational

((f:)) (f) Associate Dean ((for Community Service;)), Academic Transfer;

((4.)) (4) ((All employees of Community College District No. 19 who are either probationary faculty appointees or tenured faculty appointees pursuant to RCW 28B.50.850 through RCW 28B.50.869;)) All assistants to the president and administrative officers;

(a) Director of Admissions;

(b) Director of Guidance; (c) Director of Student Activities;

(d) Director of Placement;

Director of Extended Day Programs;

(f) Director of Library Services;

(g) Director of Plant Planning; (h) Program Development Specialist

((5:)) (5) All directors and assistants to the President and administrative officers;)) Executive Secretary to the President;

((a. Director of Evening Programs;

b. Director of Admissions;

c. Director of Guidance:

d. Director of Student Activities;

e. Director of Placement;

f. Director of Federal Programs;

g. Director of Instructional Resources Center;)) ((6:)) (6) ((Director of Placement and Information;)) Business Manager;

((7.)) (7) ((Executive Secretary to the President;)) Manager, Bookstore

((8:)) (8) ((Professional Consultants under contract and all student employees;)) Manager, Data Processing;

((9.)) (9) Media ((Technician)) Services Engineer;

((10.)) (10) ((Bookstore Manager;)) Public Information Officer; ((11.)) (11) ((Director of Maintenance;) All academic employees pursuant to RCW 28.B.50.850;

((12.)) (12) ((Director of Operation.)) Professional Consultants under contract and all student employees.

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 78-08-070 PROPOSED RULES COLUMBIA BASIN COLLEGE

[Filed July 26, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Columbia Basin College, intends to adopt, amend, or repeal rules concerning maternity leave, WAC 132S-170-030;

and that the adoption, amendment, or repeal of such rules will take place at 7:30 p.m., Monday, 9/11/78, in the Board Room, Columbia Basin College.

The authority under which these rules are proposed is chapters 28B.50 and 28B.10 RCW.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to 9/11/78, and/or orally at 7:30 p.m., Monday, 9/11/78, Board Room, Columbia Basin College.

Dated: July 18, 1978 By: F.H. Esvelt Secretary

AMENDATORY SECTION (Amending Order 74-1, filed 2/14/74)
WAC 132S-170-030 TYPES OF LEAVES.

3. Maternity Leaves - Maternity leave will be granted to a pregnant employee, married or unmarried, if the leave is requested in advance by the employee. The employee shall inform her immediate supervisor, in advance, and in writing, of her intention to take leave and the approximate time she expects to return to work. Within thirty calendar days after termination of her pregnancy, the employee shall inform her immediate supervisor of the specific date she expects to return to work. The leave shall begin no sooner than one hundred twenty calendar days before the expected date of delivery, and shall continue no later than sixty calendar days after the actual termination of the pregnancy. However, the one hundred twenty day pretermination period will be extended to a longer period if a physician's statement indicates a different period is necessary to protect the health of the employee or the unborn child. The post-termination period of sixty days may be extended for a period not to exceed the extent of the current contract year if a physician's statement indicates that complications resulting from the pregnancy or its termination necessitate a longer period of time in order to protect the health of the employee. In the event that the employee's supervisor or the community college administration in good faith questions the statement of the employee's physician, the employee may be required to obtain a statement of verification from a different physician. The verifying physician shall be selected by the community college administration and the costs for an examination and statement shall be paid for by the community college.

((The leave shall be without pay; except that the employee may, in conjunction with the unpaid maternity leave, take advantage of whatever paid sick-leave she has accrued, up to a maximum of 30 days:))

((An employee may, if she so desires, elect to take at her own risk, no maternity leave or paid sick-leave whatsoever.))

An employee who temporarily vacates a position due to pregnancy is on official leave status. The vacated position can be filled temporarily, but cannot be filled permanently.

WSR 78-08-071
ADOPTED RULES

STATE EMPLOYEES INSURANCE BOARD [Order 5-78—Filed July 26, 1978]

Be it resolved by the State Employees Insurance Board, acting at Washington Education Assoc. Bldg., 319 E. 7th, Olympia, WA, that it does promulgate and adopt the annexed rules relating to:

Amd 182-12-115 Eligible employees and retirees. New 182-12-122 Surviving dependents eligibility.

This action is taken pursuant to Notice No. WSR 78-07-006 filed with the code reviser on 6/12/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the State Employees Insurance Board as authorized in chapter 41.05 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 21, 1978.

By C. H. Shay Group Insurance Analyst

AMENDATORY SECTION (Amending Order 5646, filed 2/9/76)

WAC 182-12-115 ELIGIBLE EMPLOYEES

AND RETIREES. The following definitions of eligible employees and retirees of an eligible entity, as defined in WAC 182-12-111, shall apply for all ((State Employee Insurance Board Approved)) SEIB approved plans except as otherwise stated ((elsewhere)) in this ((section)) chapter:

(1) "Full-Time Employees." Those who work a full-time work week for their agency and are expected to be employed for more than six months.

- (2) "Permanent Part-Time Employees." Those who do not work full-time, but who are under continuous employment by an agency, and who are scheduled to work at least 80 hours per month.
- (3) "Career Seasonal Employees." Those who work at least 80 hours per month during a designated season for a minimum of three months per year and who have an understanding of continued employment with their agency season after season. These employees become eligible to enroll when they return to state employment for their second "season" of employment. Employees who work on a seasonal basis and do not elect to self pay during the break between seasons shall be treated as "new" employees on return to work in a following season.
- (4) "Appointed and Elected Officials." Legislators are eligible on the date their term begins. All other elected and full-time appointed officials of the legislative and executive branches of State government are eligible on the date their term begins or they take the oath of office, whichever occurs first.
- (5) "Judges." Justices of the supreme court and judges of the court of appeals and the superior courts become eligible on the date they take the oath of office.
 - (6) (("Retired State Employees." Retired employees))
 "Retirees or Disabled Employees". Retirees are eligible
 for only the medical plans if they ((are)) will be receiving a monthly retirement income benefit from ((the
 Public Employees Retirement System, the State Teachers Retirement System, the State Judge's Retirement
 System, Washington State Patrol Retirement System, or
 the Teachers Insurance Annuity Association:

The surviving spouse of a deceased retiree may continue coverage in the medical program by premium withholding or direct payment or premiums. The State makes no premium contribution for retirees or their surviving spouse)) any SEIB approved retirement system, and employees who are permanently and totally disabled and deferring receipt of a monthly retirement income

benefit are likewise eligible, provided the retiree or disabled person applies for retiree medical coverage before their SEIB active coverage ends. Retirees and disabled employees are not eligible for an employer premium contribution.

NEW SECTION

WAC 182-12-122 SURVIVING DEPENDENTS ELIGIBILITY. The following classes of surviving dependents may continue their coverage in the medical program by premium withholding or direct payment of premium: (1) Surviving dependents of a deceased retiree, and (2) surviving dependents of a deceased employee with ten or more years of credited service: PROVIDED, Such surviving dependents will be receiving a monthly retirement income benefit from any SEIB approved retirement system which was of an eligible entity, as defined in WAC 182-12-111, at the time of the retiree/employee's death. Application for surviving dependents medical coverage must be made within thirtyone days from the date of death of the retiree/employee. Coverage is retroactive to the date retiree/employee medical coverage terminated. Surviving dependents are not eligible for an employer premium contribution. With regard to dependents of deceased employees, this rule applies to death occurring after January 1, 1978. Dependents of employees who died between January 1, 1978 and the effective date of this rule must apply for coverage no later than July 1, 1978, and their coverage will be effective July 1, 1978.

WSR 78-08-072 EMERGENCY RULES DEPARTMENT OF FISHERIES

[Order 78-51-Filed July 26, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial salmon fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order provides for the least restrictive conservation regulations in Areas 13 and 13A.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 26, 1978.

By Gordon Sandison

Director

NEW SECTION

WAC 220-28-01300F CLOSED AREA Effective immediately through September 16, 1978 it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes from Treaty Indian Salmon Management and Catch Reporting Area 13, except that portion in Hale Passage south of a line projected from Ketner's Point through the black can buoy to the Fox Island Bridge.

Those areas and times not specifically closed by this Order remain closed to all treaty Indian fishing except as permitted by tribal regulations filed with the U. S. District Court and the Departments of Fisheries and Game which comply with the decision and subsequent orders in U. S. v. Washington Civil No. 9213. No fishing outside the usual and accustomed grounds and stations is authorized by this Order. This Order is not an opening of any time or areas to treaty Indian fisheries which have not been opened by properly filed tribal regulations.

REPEALER

Effective immediately the following sections of the Washington Administrative Code is hereby repealed:

<u>WAC 220–28–01300E</u> CLOSED AREA (78–44) <u>WAC 220–28–013A0B</u> MINIMUM MESH RE-STRICTION (78–44)

WSR 78-08-073 EMERGENCY RULES DEPARTMENT OF NATURAL RESOURCES [Order 297—Filed July 26, 1978]

- I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington 98504, the annexed rules relating to the adoption of an emergency rule amending logging restrictions in Western Washington effective at midnight Wednesday, July 26, 1978
- I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that the observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included in logging restrictions are no longer exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 25, 1978.

By Bert L. Cole Commissioner of Public Lands

AMENDATORY SECTION

WAC 332-26-503 LOGGING RESTRICTIONS IN WESTERN WASHINGTON ON AREAS UN-DER PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN THE OLYMPIC AREA. Effective at 1200 (noon) today, July 25, 1978, through midnight ((Thursday)) Wednesday, July ((27)) 26, 1978, hoot owl logging restrictions shall be in force in Zone 2 in Grays Harbor and Jefferson Counties, Zone 3 in Clallam County and Zone 17 in Clallam County, all in the Olympic Area.

During the period of shutdown commencing at 1200 (noon) daily, all logging land clearing, milling, and other operations that may cause a forest fire to start are to be shutdown on all forest lands protected by the Department of Natural Resources in the above areas.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashings, except those persons present in the interest of fire protection.

Burning Permits in Burning Permit Zones B and C are cancelled in the above-noted Shutdown Zones.

WSR 78-08-074 PROPOSED RULES STATE JAIL COMMISSION [Filed July 26, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Jail Commission intends to adopt physical plant standards for new jail construction or remodeling, mandatory and advisory custodial care standards for jails, and definitions applicable to same:

HEARING DATE AND PLACE

4 public hearings have already been held on the physical plant standards contained in proposed chapter 289-12 WAC in accordance with RCW 70.48.050(5): at:

> Spokane, WA on January 12, 1978; Yakima, WA on January 13, 1978; Midway, WA on January 19, 1978; and Kelso, WA on January 20, 1978.

2 public hearings are now scheduled to consider testimony on the custodial care standards only and will be held at:

the Federal Building auditorium, 825 Jadwin Ave., Richland, WA., from 2 p.m. to 5 p.m., on September 6, 1978; and

the D.S.H.S. auditorium, State Office Building No. Two, Olympia, WA., from 2 p.m. to 5 p.m., on September 8, 1978;

and that in accordance with RCW 70.48.050(5) and 70.48.070(1) the adoption of such rules will take place following legislative approval or, in the case of the mandatory custodial care standards, following April 1, 1979, should the legislature take no action.

The authority under which these rules are proposed is RCW 70.48.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 30, 1978, and/or orally at 2-5 p.m., Wednesday, September 6, 1978, Richland, WA. (Custodial Care Standards Only) and at 2-5 p.m., Friday, September 8, 1978, Olympia, WA. (Custodial Care Standards Only).

> Dated: July 26, 1978 By: Floyd E. Powell Director

Chapter 289-02 WAC INTRODUCTION AND DEFINITIONS

NEW SECTION

WAC 289-02-010 GENERAL. The rules set forth in this title are adopted by the state jail commission pursuant to and for purposes of fulfilling the mandates of the City and County Jails Act, chapter 70.48 RCW.

NEW SECTION

WAC 289-02-020 DEFINITIONS. The following words and phrases shall have the meaning indicated whenever used in this title

unless a different meaning is specifically indicated.
(1) "Clear floor space" means floor area which is unobstructed by any permanent fixture.

(2) "Contraband" means any substance or item not specifically permitted by a jail administration.

(3) "Commission" or "state jail commission" refers to the commission established pursuant to RCW 70.48.030.

(4) "Correctional facility" means a facility operated by a governing unit primarily designed, staffed and used for housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense.

(5) "Day room" means a multipurpose area separate and distinct from a sleeping area, but adjacent thereto, designed primarily for prisoner leisure time activity exclusive of physical exercise activity.

(6) "Detention facility" means a facility operated by a governing unit primarily designed, staffed and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the housing of adult persons for purposes of punishment and correction after sentencing or persons serving terms not to exceed ninety days.

(7) "Dormitory" means a secured sleeping and living area occupied

by more than one prisoner.

(8) "Holding facility" means a facility operated by a governing unit primarily designed, staffed and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the temporary housing of such persons during or after trial and/or sentencing, but in no instance shall the housing exceed thirty days.

(9) "Jail" means any holding, detention, or correctional facility as defined herein, or any farm, camp, or work release facility established and operated in conjunction with a jail.

(10) "Living area" includes single cells, dormitories, and day room агеа.

(11) "Public records" include any writing or recording which contains information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or returned by any state or local agency regardless of its physical form or characteristics.

(12) "Single cell" means a secured sleeping area occupied by only one prisoner, and which is physically and visually separated from other prisoner sleeping areas on three of its four sides.

Chapter 289-12 WAC PHYSICAL PLANT STANDARDS

NEW SECTION

WAC 289-12-010 PURPOSE. The purpose of this chapter is to provide minimum standards for substantial remodeling of existing jails or constructing new jail facilities and for evaluating and measuring conformance of existing jails for degree of compliance with physical plant standards in accordance with RCW 70.48.050 through 70.48.080.

NEW SECTION

WAC 298-12-020 APPROVAL OF SITE SELECTION AND DESIGN PLAN. (1) No new jail shall be built or existing jail substantially remodeled without site and construction plan approval by the commission.

(2) All architectural plans for new construction or substantial remodeling shall adequately describe expansion capabilities and such description shall include mechanical and electrical services to the

expansion points.

(3) Site and construction plans for a jail, which otherwise meet the requirements of these physical plant standards, will generally be approved for state funding with a ratio of sixty percent single cells to forty percent dormitories. Approval of jail plans providing for a greater or lesser ratio of single cells may be granted within the discretion of the commission upon a showing of necessity under the specific circumstances.

NEW SECTION

WAC 289-12-030 NEW FACILITIES. (1) Initial planning for new facilities. The design planning of all new detention and correctional facilities shall include:

(a) Obtaining the participation of the community and surrounding

governing units in site selection and planning; and

- (b) Analyzing the present and future qualitative function and quanitative workload of the proposed facility, giving optimum consideration to alternatives to confinement.
- (2) Specific physical plant standards. (Detention and correctional facilities except as otherwise noted.)

(a) Functional areas.

- (i) Sleeping and living areas shall be designed to provide adequate confinement, reasonable prisoner to prisoner privacy, sight and sound surveillance and protection for prisoners and staff.
- (A) Single occupancy cells shall be seventy—two square feet or larger with not less than eight foot ceilings. In no event shall a single occupancy cell contain less than fifty square feet of clear floor space.

(B) Day room areas shall have a minimum of thirty-five square feet per prisoner, but in no instance shall the day room space be less than

one hundred forty-four square feet.

- (C) Dormitories, when included, shall have a minimum and maximum capacity of eight to ten males or four to ten females and shall allow sixty square feet of floor space per prisoner in semi-private sleeping areas, shall include day room space, and shall have not less than ten foot ceilings if double bunks are used.
- (ii) Program, recreation and exercise areas. Detention and correctional facilities shall provide adequate indoor program and recreation area(s) and a multipurpose outdoor exercise and activity area with toilet facilities.

(iii) Kitchen and dining facilities.

- (A) When kitchen facilities are included, such facilities shall be adequate for the sanitary preparation of three nutritionally balanced meals per day and shall meet the requirements of chapter 248-84 WAC.
- (B) Dining area(s) shall allow conversational opportunities in adequate surroundings. Meals shall not be served in cells, except where necessary for the health, security and/or well-being of prisoners and
 - (iv) Examining room, infirmary and medical isolation.

(A) Detention and correctional facilities shall provide space to be used as a medical examining room. This space may be multipurpose, but when used as an examining room it shall provide sight and sound privacy and be equipped with natural spectrum fluorescent lighting, a handwashing lavatory with a gooseneck spout, either foot, knee, push plate, electric eye beam, or equivalent faucet controls, and sufficient lockable storage for medical equipment and supplies.

(B) When an infirmary is located within the facility, infirmary space shall allow a minimum of three feet between the perimeter of each bed and walls, beds, and any fixed obstruction: PROVIDED, That this three foot requirement does not apply to the distance between the head of a bed and the wall. The infirmary shall be equipped with its own

lavatory, toilet, shower and bathtub.

(C) If medical isolation facilities are located within the jail such facilities shall conform to applicable standards of WAC 248-18-530 and 248-18-718.

(v) Visitation and confidential consultation.

(A) Space for visitation shall be included in detention and correctional facilities. Such space shall allow surveillance and the degree of control over physical contact deemed necessary by jail management for visible control, and shall simultaneously provide adequate seating for prisoners and their visitor(s).

(B) Detention and correctional facilities shall provide adequate facilities for confidential consultation(s).

- (vi) Laundry. If laundry facilities are provided within the jail, such facilities shall be adequate for sanitary washing and drying of the jail laundry. Separate areas should be arranged for storage and sorting of soiled laundry and for the sorting, folding and storage of clean laundry.
- (vii) Storage. Detention and correctional facilities shall include one or more secure storage area(s) for the storage of prisoner personal clothing and property and for necessary jail equipment and supplies.

(viii) Supervisory stations.

- (A) Sufficient space and equipment for the facility supervisor shall be provided in an area secure from prisoner access. An adequate control room shall be secure from any unauthorized access and it shall be capable of controlling access to the facility by the general public.
- (B) Sight and sound surveillance equipment, where used, shall be monitored in the control room and remote control operating devices shall also be in the control room. The control room shall be equipped with a sink and toilet.
- (ix) Booking and reception areas. The booking area(s) shall include, but not be limited to, restroom facilities with shower, a "strip search" room, holding cell(s) (may be multiple occupancy), telephone, and space for photographing, fingerprinting, delousing, intoxication determinations and health screening.

(b) Structural criteria.

- (i) Building codes. All standards contained in the current Washington State Building Code established by RCW 19.27.030, the electrical wiring provisions of chapter 19.28 RCW, and more restrictive local standards shall be followed in all new jail construction.
- (ii) Materials for walls, floors and ceilings. In all jail facilities, walls, floors and ceilings shall be constructed with materials adequate to attain the degree of security required for each area of the facility. Such materials shall be easily cleanable, provide minimum sound transmission and fire protection. Polyurethane, neoprene or similar type materials shall not be used in padded cells. All paint used in a jail facility shall be fire resistant and nontoxic.

(iii) Entrances and exits.

- (A) Detention and correctional facilities shall have two secure vestibules for ingress and egress.
- (B) Elevators shall have no less than six feet by eight feet inside dimensions.
- (C) A secure area shall be provided for loading and unloading prisoners.
- (iv) Windows and/or skylights. Windows and/or skylights shall be sufficient to provide natural light to all living areas, yet locations shall assure security from escape and introduction of contraband.
- (v) Noise level. Noise level shall conform to the requirements of chapter 173-60 WAC (Maximum Environmental Noise Levels).

(c) Utilities.

(i) Prisoner living areas, inspection corridors, and vestibules shall have secure lights with outside switch control. No electrical conduit shall be accessible from any cell, though each living unit may contain outlets and switches, provided they are unilaterally controllable by staff.

- (ii) Lighting. Illumination at all times shall be adequate for security and surveillance, and daytime and evening illumination shall be sufficient to permit prisoners to read in their cells (thirty foot candles at thirty inches minimum, one hundred foot candles at thirty inches for medical examining areas, fifty foot candles at thirty inches for work areas).
- (iii) Water supply. There shall be an adequate supply of sanitary hot and cold water available at all times to prisoners. Hot water for general use shall be adequate.
 - (iv) Plumbing—Toilets, lavatories, showers and floor drains.
- (A) There shall be at least one toilet and lavatory for every eight prisoners. Separate facilities shall be provided for each sex.
- (B) A minimum of one shower head shall be provided for every ten prisoners.
- (C) Floor drains shall be constructed to serve all cells, dormitories and other areas where necessary to facilitate cleaning. Floor drains shall be located outside the cell space to reduce the incidence of tampering and flooding. Plumbing connection and pipes shall be secure from uncontrolled access by prisoners.
 - (v) Heating, ventilation and air conditioning.
- (A) The systems shall maintain mean temperatures between sixty-five and eighty-five degrees F.
- (B) The ventilating system shall provide for the number of air changes per hour as specified in the Uniform Building Code.

(d) Support systems.

- (i) Fire detection and suppression. All jails shall have smoke and fire detection and alarm equipment. Fire alarm systems shall conform to all state and local fire regulations.
- (ii) Emergency power. All detention and correctional facilities shall be equipped with emergency power sources with sufficient capacity to maintain communications and alarm systems, to move one jail elevator, where one exists, to provide minimum lighting within the facility and perimeter and for the preparation of a light meal.

(3) Minimum security facilities. Jail facilities shall be constructed to totally separate areas for housing prisoners who are allowed to go out-

side the jail regularly from all other prisoner areas.

- (4) Holding facilities. Holding facilities shall be secure. Such facilities shall have adequate lighting, heat, ventilation and fire detection and suppression equipment. Each holding facility cell shall be equipped with a bed, toilet, lavatory and a drinking fountain. A telephone shall be accessible.
- (5) Work release. Work release facilities shall provide safe, healthful, reasonably comfortable living conditions with necessary ancillary services and the required security.

NEW SECTION

WAC 289-12-040 REMODELED FACILITIES. Plans for substantially remodeling existing jail facilities shall conform to the minimum standards for physical plants, except where variances are approved by the commission.

Chapter 289–14 WAC CUSTODIAL CARE STANDARDS——ADMINISTRATION

NEW SECTION

WAC 289-14-005 INTRODUCTION TO CUSTODIAL CARE STANDARDS. (1) The provisions of chapters 289-14 through 289-24 WAC incorporate custodial care standards applicable to all jails except where specifically indicated otherwise. Each standard is designated as either mandatory or advisory and, in accordance with RCW 70.48.050(1)(a), each mandatory designation is followed by citations of the legal authorities which require the particular standard.

(2) The adoption of the mandatory custodial care standards is intended to meet minimum legal requirements relating to prisoner health, welfare, and security and does not preclude the adoption of more stringent requirements not in conflict with such standards by the governing authority, chief law enforcement officer, or department of corrections responsible for a particular jail.

NEW SECTION

WAC 289-14-010 GENERAL ADMINISTRATION. The department of corrections or the chief law enforcement officer of all jails shall develop and maintain an organizational chart and an operations manual of policies and procedures.

WAC 289-14-010 MANDATORY: The mandatory designation is based on the need for such organization to insure compliance with the specific mandatory standards herein and is supported by the cited authorities which accompany those standards.

NEW SECTION

WAC 289-14-020 STAFFING. (1) General staffing standards.

(a) At all times in all jails, at least one staff member of the same sex as the prisoner(s) shall be awake, alert, and directly responsible for supervision and surveillance.

(b) There shall be continuous sight and/or sound surveillance of all prisoners. Such surveillance may be by remote means, provided there is the ability of staff to respond face-to-face to any prisoner within three minutes, and further provided that a staff member shall personally observe persons confined at least once each thirty minutes.

(c) Staff shall be constantly alert to prisoner depression, dissension, family rejection, loneliness, resistance to staff or programs, and the effects of use of substances prohibited by facility rules or by law. When discovered, such persons shall be closely observed.

WAC 289-14-020(1) MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, § 14; 42 U.S.C. § 1983; Williams v. Edwards, 547 F. 2d. 1206 (5th Cir. 1977); Smith v. Sullivan, 553 F. 2d 373 (5th Cir. 1977); Hamilton v. Covington, 445 F. Supp. 195 (W.D. Ark. 1978); Vest v. Lubbock County Commissioners Court, 444 F. Supp. 824 (N.D. Tex. 1977); Ahrens v. Thomas, 434 F. Supp. 873 (W.D. Mo. 1977).

(2) Determination of staff positions.

- (a) The department of corrections or chief law enforcement officer shall define the responsibilities and designate the qualifications for each staff position.
- (b) Qualifications for detention and correctional facility staff hired on or after the effective date of these minimum standards shall include, but not be limited to, a high school diploma, or equivalent.
- (c) All jail staff personnel shall be selected on merit and retained on proven ability to perform.
- (3) Training requirements. All detention and correctional facility personnel shall receive preservice and in-service training.

WAC 289-14-020(2) and (3) MANDATORY: See authorities under WAC 289-14-020(1) and chapter 43.101 RCW; Landman v. Peyton, 370 F. 2d 135 (4th Cir. 1966), cert. denied, 388 U.S. 920 (1967); Jones v. Wittenberg, 440 F. Supp. 60 (N.D. Ohio 1977); Goldsby v. Carnes, 429 F. Supp. 370 (W.D. Mo. 1977).

NEW SECTION

WAC 289-14-030 RECORDS. The department of corrections or chief law enforcement officer for each jail shall establish a records system which shall comply with the requirements of this section and any subsequent rules adopted by the state jail commission.

(1) Individual prisoner records:

(a) The booking and release forms common to all jails shall be retained in each prisoner's file or within computer records.

(b) The individual prisoner records maintained by the jail administrator may include a record of all contacts or actions related to a prisoner's health by nonmedical staff and a summary of all referrals to medical staff for treatment, as well as such specific medical information regarding each prisoner as would be required to perform authorized emergency procedures in the absence of medical staff. The records of medical staff communications with and treatment of prisoners shall be separately maintained in accordance with WAC 289-20-010(2)(w).

(c) Other information retained in each prisoner's jail record shall include, but not be limited to, court orders, personal property receipts, infraction reports, reports of disciplinary actions and/or unusual occurrences, a work record and, in case of death, disposition of prisoner's property and remains.

(d) All jail facility personnel shall be advised of the statutory provisions for confidentiality of jail records under RCW 70.48.100(2).

(e) Each prisoner shall be permitted reasonable access to his jail record, or reasonable access to information contained therein.

(f) When a prisoner is transferred to another facility, a copy of his records shall be forwarded to and accepted by the receiving facility.

Records to be transferred shall include, but not be limited to, the prisoner's booking form, his health record, court orders, reports of disciplinary actions, and work record.

(2) Incident, infraction and disciplinary records. Each department of corrections or chief law enforcement officer shall maintain a written record of all incidents which result in property damage or bodily harm, or serious threat of property damage or bodily harm. Major infraction reports and disciplinary actions under chapter 289-16 WAC shall become part of the prisoner's jail record.

(3) Activity log. All jails shall keep a log of daily activity within the facility for future accountability.

WAC 289-14-030(1)-(3) MANDATORY: RCW 70.48.050(1)(d) and 70.48-.100; see also Laws of 1977 ex. sess., chapter 314.

(4) Fiscal records and population accounting.

(a) Each detention and correctional facility shall maintain fiscal records which clearly indicate facility operation and maintenance costs according to generally accepted accounting principles.

(b) Each detention and correctional facility shall establish a prisoner population accounting system which reflects the daily population and a complete breakdown by confinement categories.

WAC 289-14-030(4) MANDATORY: RCW 43.09.190 through 43.09.285.

(5) Personnel records. Performance and training records shall be maintained for each staff member employed by a detention or correctional facility.

WAC 289-14-030(5) MANDATORY: See authorities cited under WAC 289-14-020 above.

Chapter 289–16 WAC CUSTODIAL CARE STANDARDS——OPERATIONS

NEW SECTION

<u>WAC 289-16-010</u> ADMISSIONS. (1) General. (a) The receiving officer shall determine that the arrest and placement of each prisoner is being accomplished by a duly authorized officer, and a copy of all documents that purport to legally authorize the confinement shall become part of the prisoner's jail record.

WAC 289-16-010(1)(a) MANDATORY: U.S. Const. amend. 4; Const. art. 1, § 7; 42 U.S.C. § 1983; RCW 70.48.100. See also State v. Byers, 88 Wn. 2d 1 (1977) at pp. 6-9 and cases cited therein.

(b) If only one jail facility officer is on duty, the delivery officer shall remain until the prisoner is locked into the confinement area.

WAC 289-16-010(1)(b) MANDATORY: See authorities cited under WAC 289-14-020.

(c) A staff member of the same sex as the prisoner shall be present during admission and shall conduct the search of the prisoner.

WAC 289-16-010(1)(c) MANDATORY: U.S. Const. amend. 4, 8; Const. art. 1, §§, 7, 14; 42 U.S.C. § 1983; Forts v. Ward, 434 F. Supp. 946 (S.D. N.Y. 1977), cf. Dothard v. Rawlinson, 433 U.S. 321 (1977).

(d) The admission form prescribed by the state jail commission shall be completed.

WAC 289-16-010(1)(d) MANDATORY: RCW 70.48.050(1)(d) and 70.48.100.

- (e) Each prisoner, after completion of booking, shall be advised of his right to, and be allowed to complete, at least two local or collect calls to persons of his choice who may be able to come to his assistance. If the prisoner chooses not to place the calls allowed, this information shall be noted on the booking form.
- (f) Reasonable provisions for communicating with non-English speaking, handicapped and illiterate prisoners shall be provided concerning the booking process, rules of the facility, privileges and other information pertinent to his rights and well-being while confined.
- (g) The admission process shall be completed promptly unless the physical condition of the prisoner necessitates delay.

WAC 289-16-010(1)(e)-(g) MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, §§ 3, 14; 42 U.S.C. § 1983; and authorities cited under WAC 289-18-050(5)(d) and 289-24-030.

(2) Search/examination.

(a) Each prisoner shall be strip-searched for contraband. Such search shall be conducted in a private area and in a manner which protects the prisoner's dignity to the extent possible.

WAC 289-16-010(2)(a) MANDATORY: Chapter 69.50 RCW; RCW 9.94-040; and authorities cited under WAC 289-14-020(1).

- (b) The strip search of each prisoner shall include a thorough visual check for birthmarks, wounds, sores, cuts, bruises, scars, and injuries; "health tags"; and body vermin. All physical markings and "health tag" identifications shall be recorded and made immediately available to the appropriate jail employees and the medical professionals responsible for care of the prisoner under chapter 289-20 WAC. If feasible, and particularly when force has been used during arrest, all visible injuries shall be photographed.
- (c) Any person with body vermin shall be treated appropriately in accordance with chapter 289-20 WAC.
- (d) Complaints of illness or injury shall be checked promptly by a qualified medical professional in accordance with the medical procedure established under WAC 289-20-010(1)(d).
- (e) A prisoner suspected of having a communicable disease shall be isolated without delay. Arrangements shall be made for his immediate transfer to a facility equipped to handle the suspected disease, unless the admitting facility can safely and effectively segregate and maintain the medically prescribed treatment.

WAC 289-16-010(2)(b)-(e) MANDATORY: See authorities cited under chapter 289-20 WAC.

(f) The admitting officer shall record and store the prisoner's personal property and issue the prisoner a witnessed receipt. Prisoners should be weighed upon admission and release.

WAC 289-16-010(2)(f) MANDATORY: U.S. Const. amend. 14; Const. art. 1, § 3; 42 U.S.C. § 1983; Ahrens v. Thomas, 434 F. Supp. 873 (W.D. Mo. 1977), aff'd in relevant part, 570 F. 2d 286 (8th Cir. 1978); Alexanian v. N.Y. Stupp. Urban Dev. Corp., 554 F. 2d 15 (2nd Cir. 1977); Wolfish v. Levi, 439 F. Supp. 114 (S.D. N.Y. 1977), aff'd in part, rev'd in part, 573 F. 2d 118 (2nd Cir. 1978).

(3) Clothing. At the discretion of the department of corrections or the chief law enforcement officer, the prisoner may wear clothes provided by the facility or his own clothing.

WAC 289-16-010(3) ADVISORY.

(4) Fingerprints and photographs.

(a) Front and side-view identification photographs of each prisoner shall stipulate the arresting agency and the date of arrest.

(b) Copies of fingerprints shall be forwarded to the proper state and federal authorities.

WAC 289-16-010(4) MANDATORY: 28 U.S.C. § 534; RCW 43.43.735.

(5) Issuances and orientation.

(a) On completion of admission, the prisoner shall be given clean bedding, towel, washcloth, and other necessary personal care items as authorized under WAC 289-20-030(3).

WAC 289-16-010(5)(a) MANDATORY: See authorities cited under WAC 289-20-030 and 289-20-040.

(b) Upon prisoner request, a reasonable supply of writing material shall be furnished.

WAC 289-16-010(5)(b) MANDATORY: See authorities cited under WAC 289-24-040.

- (c) As soon after booking as possible, each prisoner shall receive an oral orientation. Orientation should include available information regarding the prisoner's confinement and answers to any questions the prisoner may have.
- (d) During oral orientation each prisoner shall be advised of his responsibilities and facility rules and privileges.

WAC 289-16-010(5)(c) and (d) MANDATORY: See authorities cited under WAC 289-18-050; Ahrens v. Thomas, 434 F. Supp. 873 (W.D. Mo. 1977), aff'd in relevant part, 570 F. 2d 286 (8th Cir. 1978); Moore v. Janing, 427 F. Supp. 567 (D. Neb. 1976); O'Bryan v. County of Saginaw, 437 F. Supp. 582 (E.D. Mich. 1977).

(6) Temporary cell assignment. Prior to a classification determination, each prisoner shall be confined in a single occupancy cell whenever possible.

WAC 289-16-010(6) MANDATORY: See authorities cited under WAC 289-16-020 below.

NEW SECTION

WAC 289-16-020 CLASSIFICATION/SEGREGATION. (1) Classification.

- (a) In all correctional facilities, as distinct from detention facilities, a classification committee consisting of at least two staff shall be established for classification of prisoners sentenced to that facility.
- (b) The department of corrections or chief law enforcement officer shall establish a classification procedure for each detention facility. Whenever possible, no less than two detention facility staff members shall be responsible for classification determinations.
- (c) For each prisoner confined in a detention or correctional facility, those responsible for classification shall determine the degree of security required, housing assignment, program eligibility, and regulations for association within and outside the confinement area.
- (d) As specified by WAC 289-18-050, 289-22-020(4), and 289-24-040, persons responsible for classification determinations shall also hear disciplinary cases, review literature screening appeals, and recommend diminution of sentence and alternatives to confinement.

(2) Classification procedures.

- (a) Each prisoner confined in a detention or correctional facility shall be interviewed by the persons responsible for classification determinations.
- (b) The prisoner shall be informed of the classification housing assignment decision and the basis for that decision.
- (c) A prisoner who is dissatisfied with his housing assignment shall be entitled to a review of the decision by the department of corrections or chief law enforcement officer upon making a written request, and

shall be promptly informed of this right. The prisoner shall receive a written decision of the review of such assignment, including reason(s).

- (d) Because classification is an on-going process, a procedure for reclassification shall be developed and each prisoner informed of the conditions prerequisite to reclassification. All classification determinations shall be reviewed in accordance with such procedure every thirty days.
 - (3) Criteria for prisoner classification (all jails).
- (a) Juveniles (seventeen years of age and under) shall always be segregated from visual and oral communication with adult prisoners.
- (b) In all jails, females shall always be segregated from visual and oral communication with male prisoners except under direct supervision of a staff person.
- (c) Special problem prisoners that endanger the health or safety of other prisoners (or themselves) shall be segregated and closely supervised.
- (d) Prisoners on work release or weekend confinement programs, and any other prisoners who have regular contact outside the jail shall be segregated from other prisoner categories and may be housed in a dormitory or semi-open facility.
- (e) Other factors to be considered in classification may include, but shall not be limited to age, type of crime, pre-vs. posttrial status, and offender sophistication.

WAC 289-16-020 MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, §§ 3, 14; 42 U.S.C. § 1983; RCW 13.04.115; Enimoto v. Wright, - U.S. - (1978); Rhem v. Malcolm, 507 F. 2d 333 (2nd Cir. 1974); Vest v. Lubbock County Commissioners Court, 444 F. Supp. 824 (N.D. Tex. 1977); Mitchell v. Untreiner, 421 F. Supp. 886 (N.D. Fla. 1976); Barnes v. Virgin Islands, 415 F. Supp. 1218 (D.V.I. 1976); Martinez Rodriguez v. Jimenez, 409 F. Supp. 582 (D.P.R. 1976), stay of inj. den., 537 F. 2d 1 (1st Cir. 1976), aff'd 551 F. 2d 877 (1st Cir. 1977); Pugh v. Locke, 406 F. Supp. 318 (M.D. Ala. 1976), aff'd 559 F. 2d 283 (5th Cir. 1977); Hamilton v. Landrieu, 351 F. Supp. 549 (E.D. La. 1972); Jones v. Wittenberg, 330 F. Supp. 707 (N.D. Ohio 1971); Hamilton v. Love, 328 F. Supp. 1182 (E.D. Ark. 1971).

NEW SECTION

WAC 289-16-030 RELEASE AND TRANSFER. (1) Release. (a) The releasing officer shall positively determine prisoner identity and ascertain that there is legal authority for the release.

(b) The release form common to all jails shall be completed.

- (c) All prisoners being released shall sign a witnessed receipt for personal property returned.
- (d) Each prisoner discharged shall receive a visual body check to detect changes from his admitting physical record.
- (2) Transfer. In addition to the release procedures designated above, the releasing officer shall determine that the receiving unit or person has the authority to accept custody.

WAC 289-16-030(1) and (2) MANDATORY: See authorities cited under WAC 289-16-010(1)(a), (d), and (2)(f).

(3) In cooperation with the county coroner or medical examiner each facility shall establish procedures for release of a deceased prisoner's body and personal property.

WAC 289-16-030(3) MANDATORY: RCW 68.08.010.

NEW SECTION

WAC 289-16-040 TRANSPORTATION. The department of corrections or the chief law enforcement officer of each detention and correctional facility shall develop a transportation unit with written instructions to include the following minimum standards:

(1) Vehicles for the transportation of prisoners considered dangerous shall have a divider between the driver's seat and other seat areas.

- (2) Prisoners being transported may be handcuffed, placed in a restraining belt, or handcuffed to other prisoners of the same sex.
 - (3) No prisoner shall be handcuffed to a vehicle.
- (4) Prisoners shall not be left in an unattended or unsupervised vehicle.

WAC 289-16-040(1)-(4) MANDATORY: See authorities cited under WAC 289-14-020 and 289-18-010.

(5) A female officer shall accompany any female prisoner in transport, and a male officer shall accompany male prisoners.

WAC 289-16-040(5) MANDATORY: See authorities cited under WAC 289-16-010(1)(c).

Chapter 289-18 WAC CUSTODIAL CARE STANDARDS— -SECURITY AND DISCI-PLINE

NEW SECTION

WAC 289-18-010 SUPERVISION AND SURVEILLANCE. (1) General security standards.

- (a) All jails shall establish a positive means of identifying prisoners.
- (b) Perimeter security shall be maintained.
- (c) Security devices shall be maintained in proper working condition at all times.
- (d) No prisoner shall be permitted to have authority over other prisoners.
- (2) Prisoner counts. Detention and correctional facilities shall develop a system for taking and recording prisoner counts. This procedure shall be followed at shift changes and at other regular or irregular times.
 - (3) Contraband control.
- (a) Any item or person entering or leaving a jail shall be subject to search whenever there are reasonable grounds to believe there is a clear and present danger to institutional security.
- (b) When housed in a jail facility, work release prisoners and prisoners who have regular contact outside the jail shall not be permitted contact with other prisoner classifications or entrance to areas frequented by other prisoners.
- (c) There shall be irregularly scheduled searches for contraband in detention and correctional facilities and all areas frequented by prisoners.
- (d) Conspicuously posted signs shall display the statutory penalty for giving or arranging to give anything to a prisoner without official authorization. Non-English speaking visitors shall be informed of the statutory penalty either verbally or by posted signs in the appropriate

WAC 289-18-010(1)-(3) MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, § 14; 42 U.S.C. § 1983; Williams v. Edwards, 547 F. 2d 1206 (5th Cir. 1977); Vest v. Lubbock County Commissioners Court, 444 F. Supp. 824 (N.D. Tex. 1977); Harris v. State, 61 N.J. 585, 297 A. 2d 561 (1972); Glover v. Hazelwood, 387 S.W. 2d 600 (Ky. 1964); Bartlett v. Commonwealth, 415 S.W. 2d 225 (Ky. 1967); St. Julian v. State, 82 So. 2d 85 (La. App. 1955); Browning v. Graves, 152 S.W. 2d 515 (Tex. Civ. App. 1941).

NEW SECTION

WAC 289-18-020 CRITICAL ARTICLES. (1) Weapons and keys to weapon lockers shall not be permitted in confinement and booking areas.

- (2) Keys.
- (a) Key regulations shall be established by the department of corrections or chief law enforcement officer and read and initialed by all
- (b) A control point shall be designated for key cataloging and logging the distribution of keys.
- (c) There shall be at least two sets of jail facility keys, one set in use and the other stored for use in the event of an emergency.
- (d) All keys not in use shall be stored in a secure key locker inaccessible to prisoners.
- (e) Emergency keys shall be "red tagged" and placed in the designated emergency section of the key locker.
- (f) Keys to locks on doors inside the security area of a jail shall be on a separate ring from keys to locks on doors or gates to the outside of the jails. At no time should both rings be carried by a person inside the jail simultaneously.
- (g) Keys shall be accounted for at all times and the distribution certified at each shift change.
 - (h) Jail facility keys shall never be issued to a prisoner.
- (3) Protective equipment. Protective equipment, tear gas, and any other chemical suppressing agent shall be kept in a secure area, inaccessible to prisoners and unauthorized persons, but quickly accessible to officers of the facility.

- (4) Kitchen utensils, tools, and toxic substances.
- (a) All kitchen utensils and tools shall be marked for identification, recorded, and kept in a secure place.
- (b) Toxic substances shall be kept in locked storage, and use of toxic substances shall be strictly supervised. Such substances, including cleaning supplies, shall be stored in a separate area from food supplies.

WAC 289-18-020(1)-(4) MANDATORY: See authorities cited under WAC 289-14-020 and 289-18-010.

NEW SECTION

WAC 289-18-030 EMERGENCY PROCEDURES. (1) The department of corrections or the chief law enforcement officer shall formulate comprehensive written emergency procedures relative to escapes, riots, rebellions, assaults, injuries, suicides or attempted suicides, outbreak of infectious disease, fire, acts of nature, and any other type of major disaster or disturbance. The emergency plan shall outline the responsibilities of jail facility staff, evacuation procedures, and subsequent disposition of the prisoners after removal from the area or facility. Such plan shall be formulated in cooperation with the appropriate supporting local government units.

(2) Emergency plans shall always be available to the officer in charge of the jail, and all personnel shall be aware of, and trained in, the procedures.

(3) All serious incidents and emergencies shall be reported to the state jail commission on forms provided and at times prescribed by the commission. For purposes of this section, the term "serious incidents and emergencies" includes, but is not limited to any death which occurs within a jail, attempted suicides, any unusual prisoner medical problem, epidemics, attempted or completed escapes, any assault upon staff or prisoners, dangerous contraband within the jail, serious fires, flooding or other natural disasters, riots or strikes, and any acts of terrorism or physical violence.

WAC 289-18-030(1)-(3) MANDATORY: See authorities cited under WAC 289-18-010 and 289-18-020.

(4) Only lawful and reasonable force to the person of a prisoner shall be used. Such force shall be used only after obtaining the prior approval of the senior jail officer on duty, and a record of the event shall be made in the jail log. Only in cases of self defense, to prevent escape, to prevent injury to a person (including the prisoner himself), or to prevent the commission of a crime shall prior approval not be necessary for the use of such force. The extent of such force shall always be limited to the extent it is reasonably necessary to accomplish its purpose.

WAC 289-18-030(4) MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, § 14; 42 U.S.C. § 1983; Bethea v. Crouse, 417 F. 2d 504 (10th Cir. 1969), cf. Courtney v. Bishop, 409 F. 2d 1185 (8th Cir. 1969), cert. den. 396 U.S. 915

(5) Prisoners shall not be deprived of their clothes, blankets, or personal care items unless there are reasonable grounds to believe that the prisoner will misuse such articles to damage property, inflict bodily harm (to himself or others), or substantially compromise the security of the jail. Such deprivation shall be used and continued only if there is no other practical way to control the prisoner. Approval of the senior jail official on duty must be obtained prior to the removal of such items, and the removal shall be reported to the medical staff. A record of such deprivation shall be made in the jail log and an explanation of the incident shall become part of the prisoner's jail record.

WAC 289-18-030(5) MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, § 14; 42 U.S.C. § 1983; Diamond v. Thompson, 523 F. 2d 1201 (5th Cir. 1975); Demps v. Wainwright, 522 F. 2d 192 (5th Cir. 1975); Wright v. McMann, 387 F. 2d 519 (2nd Cir. 1967); Jordan v. Fitzharris, 257 F. Supp. 674 (N.D. Cal. 1966); see also authorities cited under WAC 289-16-010(2)(f).

NEW SECTION

WAC 289-18-040 EMERGENCY SUSPENSION OF CUSTO-DIAL CARE STANDARDS. Nothing in these standards shall be construed to deny the power of any department of corrections or chief law enforcement officer to temporarily suspend any standard herein prescribed in the event of any emergency which threatens the safety of any jail or any of its prisoners or staff, or the public. Only such standards as are directly affected by the emergency may be suspended and the department of corrections or chief law enforcement officer shall notify the state jail commission in the event of such a suspension within twenty-four hours.

WAC 289-18-040 MANDATORY: See authorities cited in other sections of this chapter and Morris v. Travisono, 509 F. 2d 1358 (1st Cir. 1975), Hoitt v. Vitek, 497 F. 2d 598 (1st Cir. 1974), and Jefferson v. Southworth, 447 F. Supp. 179 (D.R.I. 1978).

NEW SECTION

<u>WAC 289-18-050</u> DISCIPLINE. (1) General. (a) The department of corrections or chief law enforcement officer shall establish uniform rules and disciplinary sanctions to guide the conduct of all prisoners, which rules shall designate major and minor infractions.

(b) Printed rules and possible disciplinary sanctions shall be posted conspicuously throughout the jail. Non-English speaking prisoners shall be informed of the rules either orally or by posted signs in the appropriate language.

(c) All major infractions of the rules shall be reported in writing to the supervisor prior to shift change by the staff member observing or discovering the act. Such reports shall become a part of the prisoner's

jail record.

- (2) Minor infractions. Minor violations of the rules may be handled informally by any staff member by reprimand, warning, or minor sanction as defined by local rules. Such incidents may become part of the prisoner's record only with the approval of the supervisor and verbal notification to the prisoner.
 - (3) Discipline for major infractions.

(a) Disciplinary hearing.

- (i) In correctional facilities, the classification committee shall have the power to hear and decide all charges of major violation of facility rules and to impose sanctions.
- (ii) In detention facilities, the chief law enforcement officer or department of corrections shall designate no less than two staff members to hear and decide all charges of major violation of facility rules and to impose sanctions.
- (iii) Any facility staff member involved in a charge shall not be allowed to participate as a hearing officer with respect to that charge.
 - (b) Procedures.
- (i) Any charges pending against a prisoner shall be acted on as soon as possible and no later than forty-eight hours (exclusive of Saturdays, Sundays, and holidays) after observation or discovery of the infraction.
- (ii) At least twenty-four hours prior to hearing, the prisoner shall receive a copy of the written infraction report made in conformance with WAC 289-18-050(1)(c). If the prisoner is illiterate, the infraction report shall be read to him.
- (iii) The prisoner alleged to have committed a major infraction shall have, and be promptly advised of, the following rights:
- (A) The prisoner shall have the right to be present at all stages of the hearing, except during the decisional deliberations;
- (B) The prisoner shall be allowed to appear on his own behalf, to present witnesses, and to present documentary evidence unless the exercise of such rights would be unduly hazardous to institutional safety or correctional goals, in which case the prisoner shall be given a written statement of the reasons for such judgment;
- (C) The prisoner shall be advised of the decision in a written notice giving the reasons for the disciplinary action, if any, and evidence relied on; and
- (D) The prisoner shall be permitted to appeal the disciplinary hearing decision to the department of corrections or the chief law enforcement officer in accordance with appeal procedures established by each facility and included in the printed rules.
 - (iv) All disciplinary proceedings shall be recorded.
- (v) There shall be a finding of guilt based on the preponderance of evidence before imposition of a sanction.

WAC 289-18-050(1)-(3) MANDATORY: U.S. Const. amend. 14; Const. art. I, § 3; 42 U.S.C. § 1983; Wolff v. McDonnell, 418 U.S. 539 (1974); Baxter v. Palmigiano, 425 U.S. 308 (1976); Meachum v. Fano, 427 U.S. 215 (1976); Montayne v. Haymes, 427 U.S. 236 (1976).

(4) Corrective action or forms of discipline.

(a) Nonpunitive corrective action shall be the first consideration in all disciplinary proceedings.

- (b) When punitive measures are imposed, such measures shall be in accordance with law, and recommended sanctions, appropriate to the severity of the infraction, and based on considerations of the individual involved.
 - (c) Acceptable forms of discipline shall consist of the following:

(i) Loss of privileges;

- (ii) Removal from work detail or other assignment;
- (iii) Recommendation of forfeiture of "good time" credit;
- (iv) Transfer to the maximum security or segregation section.

WAC 289-18-050(4) MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, § 3, 14; Weems v. United States, 217 U.S. 349 (1910); Wright v. McMann, 460 F. 2d 126 (2d Cir. 1972), cert. den., 409 U.S. 885 (1972); State v. Keith, 13 Wn. App. 127 (1975), aff'd, 86 Wn. 2d 229 (1975); State v. Williams, 57 Wn. 2d 231 (1960).

(5) Limitations on punishment.

(a) No prisoner or group of prisoners shall be given authority to administer punishment to any other prisoner or group of prisoners.

WAC 289-18-050(5)(a) MANDATORY: U.S. Const. amend. 8; Const. art. 1, § 14; 42 U.S.C. § 1983; Pugh v. Locke, 406 F. Supp. 318 (M.D. Ala. 1976), aff'd, 559 F. 2d 283 (5th Cir. 1977).

- (b) Deviation from normal feeding procedures shall not be used as a disciplinary sanction.
- (c) Deprivation of clothing, bed, bedding, or normal hygienic implements and facilities shall not be used as a disciplinary sanction.

WAC 289-18-050(5)(b) and (c) MANDATORY: See authorities cited under WAC 289-18-030(5), James v. Wallace, 382 F. Supp. 1177 (M.D. Ala. 1974), and Pugh v. Locke, 406 F. Supp. 318 (M.D. Ala. 1976), aff'd, 559 F. 2d 283 (5th Cir. 1977).

(d) Correspondence privileges shall not be denied or restricted, except in cases where the prisoner has violated correspondence regulations. In no case shall the correspondence privilege with any member of the bar, holder of public office, the courts, or the department of corrections or chief law enforcement officer be suspended.

WAC 289-18-050(5)(d) MANDATORY: U.S. Const. amend. 1, 14; Const. art. 1, §§ 3, 5; 42 U.S.C. § 1983; Procunier v. Martinez, 416 U.S. 396 (1974); Ex parte Hull, 312 U.S. 546 (1941); Wolfish v. Levi, 573 F. 2d 118 (2nd Cir. 1977); Sostre v. McGinnis, 442 F. 2d 178 (2nd Cir. 1971), cert. denied, 405 U.S. 978 (1972); Wolff v. McDonnell, 418 U.S. 539 (1974); Adams v. Carlson, 488 F. 2d 619 (7th Cir. 1973); Smith v. Robbins, 454 F. 2d 696 (1st Cir. 1972).

(e) Restrictions on visitation.

(i) Visitation privileges should not be denied or restricted as a sanction for infractions of rules of the institution unrelated to visitation.

WAC 289-18-050(5)(e)(i) ADVISORY.

(ii) Under no circumstances shall attorney-client visits be restricted.

WAC 289-18-050(5)(e)(ii) MANDATORY: U.S. Const. amend. 1, 14; Const. art. 1, §§ 3, 5; 42 U.S.C. § 1983. See also authorities cited under WAC 289-18-

040(4) and (5), Souza v. Travisono, 368 F. Supp. 959 (D.R.I. 1973), aff'd in relevant part, 498 F. 2d 1120 (1st Cir. 1974), Via v. Cliff, 470 F. 2d 271 (3rd Cir. 1977), and Robinson v. Peterson, 87 Wn. 2d 665 (1976).

(f) No prisoner shall be held in disciplinary segregation for more than five consecutive days without review by the disciplinary hearing body or chief law enforcement officer, and in no event shall a prisoner be held in disciplinary segregation for more than ten consecutive days as the result of any one hearing.

WAC 289-18-050(5)(f) MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, § 14; 42 U.S.C. § 1983; Wright v. McMann, 387 F. 2d 519 (2nd Cir. 1967); Jordan v. Fitzharris, 257 F. Supp. 674 (N.D. Cal. 1966).

(g) Corporal punishment and physical restraint (e.g., handcuffs, leather restraints, and strait jackets) shall not be used as sanctions. Reasonable physical restraint when necessary for medical reasons shall be medically directed, except that in an emergency reasonable physical restraint may be used to control a grossly disturbed or violent prisoner, but medical review and direction shall be promptly obtained.

WAC 289-18-050(5)(g) MANDATORY: See authorities cited under WAC 289-18-030(4).

Chapter 289-20 WAC CUSTODIAL CARE STANDARDS—HEALTH AND WELFARE

NEW SECTION

WAC 289-20-010 HEALTH CARE. (1) General. Prisoners shall receive adequate medical and health care.

(2) Specific standards.

- (a) A physician licensed in the state shall be responsible for the organization and operation of the jail's medical services pursuant to a written agreement between the governing unit responsible for the jail, the chief law enforcement officer or department of corrections, as designated by the governing unit and the responsible physician or qualified medical authority.
- (b) The physician shall be solely responsible for the practice of medicine within the jail; however, security regulations applicable to jail personnel shall also apply to the medical personnel.
- (c) The responsible physician or medical authority shall submit a quarterly report on the health delivery system and health environment and an annual statistical summary to the chief law enforcement officer or department of corrections.
- (d) Written standard operating procedures approved by the responsible physician and governing unit or official designated by it shall consist of but not be limited to the following (* indicates does not apply to the first seventy-two hours):

(i) Receiving screening;

- (ii) Health appraisal data collection;*
- (iii) Nonemergency medical services;*
- (iv) Deciding the emergency nature of illness or injury;
- (v) Dental screening, hygiene, examination and treatment;*
- (vi) Provision of medical and dental prostheses;*

(vii) First aid;

- (viii) Notification of next of kin or legal guardian in case of serious illness, injury or death;
 - (ix) Providing chronic care;*
 - (x) Providing convalescent care;*
 - (xi) Providing medical preventive maintenance;*
- (xii) Screening, referral and care of mentally ill and retarded inmates:
 - (xiii) Implementing the special medical program;
 - (xiv) Delousing procedures;
 - (xv) Detoxification procedures; and
 - (xvi) Pharmaceuticals.
- (e) State licensure and/or certification requirements and restrictions shall apply to health care personnel. Verification of current licensing and certification credentials shall be on file in the jail.

- (f) The work of qualified medical personnel shall be governed by written job descriptions which should be approved by the responsible physician.
- (g) Treatment by medical personnel other than a physician shall be performed pursuant to a written standing or direct order.
- (h) All examinations, treatments and procedures affected by informed consent standards in the community shall likewise be observed for prisoner care. In the case of minors, the informed consent of parent, guardian or legal custodian applies where required by law. In all cases, the responsible physician shall give a clear statement to the prisoner patient of his diagnosis and treatment except where the physician determines such explanation would be detrimental to the patient's welfare.
- (i) If medical services are delivered in the jail, adequate equipment, supplies and materials shall be provided for the performance of primary health care delivery.
- (j) First aid kit(s) shall be conveniently available in all jails. The responsible physician should approve the contents, number, location and procedure for periodic inspection of the kit(s).
- (k) Receiving screening shall be performed on all prisoners upon admission to the facility before being placed in the general population or housing area, and the findings recorded on a printed screening form approved by the responsible physician. The screening includes injury into:
- (i) Current illnesses and health problems including those specific to women;
 - (ii) Medications taken and special health requirements;
- (iii) Screening of other health problems designated by the responsible physician;
- (iv) Behavioral observation, including state of consciousness and mental status;
- (v) Notation of body deformities, trauma markings, bruises, lesions, ease of movement, jaundice, and other physical characteristics;
- (vi) Condition of skin and body orifices, including rashes and infestations; and
- (vii) Disposition/referral of inmates to qualified medical personnel on an emergency basis.
- (1) The health appraisal data collection shall be completed for each prisoner within fourteen days after admission to the facility in accordance with the adopted standard operating procedures. Laboratory and diagnostic tests to detect communicable disease including venereal diseases and tuberculosis, other tests and examinations as appropriate, and a standardized medical examination with appropriate comments about mental and dental status shall also be completed within fourteen days.
- (m) Health history and vital signs shall be collected by medically trained or qualified medical personnel who are properly licensed, registered or certified as appropriate to their qualifications to practice. Collections of all other health appraisal data shall be performed only by qualified medical personnel. Review of the results of the medical examination, tests, and identification of problems shall be made by a physician or designated qualified medical personnel. All health appraisal data shall be recorded on the health data forms approved by the responsible physician.
- (n) At the time of admission to the facility, prisoners shall receive a written communication consistent with the provisions of section WAC 289-16-010(f), explaining the procedures for gaining access to medical services.
- (o) Prisoners' medical complaints shall be collected daily and acted upon by the medically trained personnel. An appropriate priority shall be established and treatment by qualified medical personnel follow.

(p) Sick call.

- (i) Sick call shall be conducted by a physician and/or other qualified medical personnel and shall be available to each prisoner as follows:
- (A) In small facilities of less than fifty prisoners, at least once per week at a minimum;
- (B) Medium-sized facilities of fifty to two hundred prisoners at least three times per week; and
- (C) Large-sized facilities of over two hundred prisoners at least five
- times per week.

 (ii) When sick call is not conducted by a physician, the responsible physician shall arrange for the availability of a physician at least once each week to respond to prisoner complaints regarding services which they did or did not receive from other medical providers; further, regardless of complaints, the responsible physician shall review the medical services delivered, as follows:
 - (A) At least once per month in jails with less than fifty prisoners;

- (B) At least every two weeks in facilities of fifty to two hundred prisoners; and
 - (C) At least weekly in facilities of over two hundred prisoners.
 - (q) Emergency care.
- (i) Emergency medical and dental care shall be available on a twenty-four hour basis in accordance with a written plan which includes:
- (A) Arrangements for the emergency evacuation of the prisoner from the jail;
 - (B) Arrangements for the use of an emergency medical vehicle;
- (C) Arrangements for the use of one or more designated hospital emergency rooms or other appropriate health facilities;
- (D) Arrangements for emergency on-call physician and dentist services when an emergency health facility is not located in a nearby community.
- (ii) Jail personnel shall be trained in basic first-aid equivalent to that defined by the American Red Cross and usual emergency care procedures prior to employment or during the probationary period. Written standard operating procedures and training of staff shall incorporate the following steps:
 - (A) Awareness of potential medical emergency situations;
- (B) Notification or observation-determination that a medical emergency is in progress;
 - (C) "First aid" and resuscitation;
 - (D) Call for help; and
 - (E) Transfer to appropriate medical provider.
- (iii) At least one person per shift within sight or sound of the prisoner shall have training in receiving screening and basic life support cardiopulmonary resuscitation (CPR).
- (r) Medical and dental prostheses and emergency dental care shall be provided when the health of the inmate-patient would otherwise be adversely affected as determined by the responsible physician.
- (s) Jail personnel shall be given training regarding the recognition of general symptoms of mental illness and retardation and shall report any such symptoms to medical personnel for appropriate evaluation and treatment.
- (t) A special program shall exist for prisoners requiring close medical supervision. A written individual treatment plan for each of these patients shall be developed by a physician which includes directions to medical and nonmedical personnel regarding their roles in the care and supervision of these patients.
- (u) Appropriate medically-supervised treatment shall be given in the jail to prisoners determined to be under the influence of alcohol, opiates, barbiturates and similar drugs when such care is not provided in a community health facility.
 - (v) Medications.
- (i) The jail's standard operating procedures for the proper management of pharmaceuticals shall include:
- (A) A formulary specifically developed for the facility when stock medications are maintained within the jail. Such formulary shall be in accordance with WAC 360-16-070 (clinic dispensary);
- (B) A policy that jails with an on-site pharmacy shall adhere to regulations established by the state board of pharmacy. Such policy shall require, as a minimum, a consulting pharmacist for the operation of the pharmacy or the dispensing shall be done by each prescribing physician in person (WAC 360-16-070);
- (C) A policy regarding the prescription of all medications with particular attention to behavior-modifying medications and those subject to abuse;
- (D) A policy regarding medication dispensing and administration which shall include, but not be limited to:
- (1) Nonmedical jail personnel delivering medication(s) to prisoners (RCW 69.41.030);
- (2) Disposition of medication(s) brought in by prisoners at the time of admission to the facility;
- (3) Packaging of medication(s); the packaging shall clearly indicate name of the medication, time for administering and the name of the prisoner. Each dosage shall be packaged in separate containers;
 - (4) Disposition of unused medication(s);
- (E) A policy regarding the maximum security storage and weekly inventory of all controlled substances, nonprescription medication(s), syringes, needles and surgical instruments. Jails that do not have an on-site pharmacy shall provide for a consulting pharmacist to determine that medication(s) have been properly managed.
- (ii) The person administering medication: Shall have training from the responsible physician and the chief law enforcement officer or department of corrections responsible for the jail; shall be accountable for administering medications according to orders; and shall record the

administration of medications in a manner and on a form approved by the responsible physician.

(w) Records.

- (i) The responsible physician shall be responsible for maintaining patient medical record files in accordance with rules adopted by the state jail commission. Such files shall contain the completed receiving screening form, health appraisal data collection forms, all findings, diagnoses, treatments, dispositions, prescriptions and administration of medications, notes concerning patient education, notations of place, date and time of medical encounters and terminations of treatment from long term or serious medical or psychiatric treatment.
- (ii) The responsible physician shall insure the confidentiality of each prisoner's medical record file and such file shall be maintained separately from and in no way be part of the prisoner's other jail records. The responsible physician or medical staff designated by him shall communicate information obtained in the course of medical screening and care to jail authorities when necessary for the protection of the welfare of the prisoner of other prisoners, management of the jail, or maintenance of jail security and order.
- (iii) A copy or summary of the medical record file shall routinely be sent to any jail or correctional institution to which a prisoner is transferred at the time of such transfer. A copy of such file or parts thereof shall also be transmitted upon the written authorization of a prisoner to designated physicians and medical facilities.
- (x) Regular bathing (shower) shall be permitted at least twice each week.
- (y) All prisoners and other persons working in the food service shall be free from infectious disease.

WAC 289-20-010 MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, § 14; 42 U.S.C. § 1983; Estelle v. Gamble, 429 U.S. 97, reh. denied, 429 U.S. 1066 (1976); Todaro v. Ward, 565 F. 2d 48 (2nd Cir. 1977); Battle v. Anderson, 447 F. Supp. 516 (E. D. Okla. 1977); Vest v. Lubbock County Commissioners Court, 444 F. Supp. 824 (N.D. Tex. 1977); Alberti v. Sheriff of Harris County, 406 F. Supp. 649 (S.D. Tex. 1975); Inmates of Suffolk County Jail v. Eisenstadt, 360 F. Supp. 676 (D. Mass. 1973); Gates v. Collier, 349 F. Supp. 549 (E.D. La. 1972), aff'd, 501 F. 2d 1291 (5th Cir. 1974); Collins v. Schoonfield, 344 F. Supp. 257 (D. Md. 1972); Hamilton v. Shiro, 338 F. Supp. 1016 (E. D. La. 1971), extended sub. nom. Hamilton v. Landrieu, 351 F. Supp. 549 (E. D. La. 1972); Newman v. Alabama, 349 F. Supp. 278 (M.D. Ala. 1972), aff'd, 503 F. 2d 1320 (2nd Cir. 1974), cert. denied, 421 U.S. 948 (1975); Jones v. Wittenberg, 330 F. Supp. 707 (D. Ohio 1971), aff'd, 456 F. 2d 854 (6th Cir. 1972); Shea v. Spokane, 17 Wn. App. 236 (1977), aff'd, 90 Wn. 2d 43 (1978); ZeBarth v. Swedish Hospital Medical Center, 81 Wn. 2d 12 (1972).

NEW SECTION

WAC 289-20-020 FOOD. (1) General. (a) At least three meals a day shall be served at regular intervals. The morning meal shall be served within fourteen hours of the previous day's evening meal.

- (b) Jails may arrange for prepared meal service or serve frozen packaged meals, provided these meals conform to the other requirements of this section.
- (c) Meals shall be served in a reasonable manner, hot food served hot, cold food served cold.
- (d) Prisoner meals shall be served on compartmented steel, aluminum or heat resistant plastic trays. Stainless steel or plastic eating utensils shall be provided.
 - (2) Nutritional and caloric intake.
- (a) Jail menus shall be reviewed by the local county health department, the county extension service, or other qualified nutrition consultant available in the community to insure that diets approximate the dietary allowances specified.
 - (b) Diets ordered by medical staff shall be strictly observed.
 - (3) Food service operations.
- (a) Food service operations in jails shall conform to the sanitation rules and regulations set forth in chapter 248-84 WAC.
- (b) In all jails, a paid staff member responsible for kitchen supervision and food preparation, shall obtain a food and beverage workers permit (chapters 248-86 and 248-87 WAC). Under supervision of this staff member, prisoners may assist in the kitchen and need not acquire a food and beverage workers permit. Local health departments may have more stringent requirements which, if ordered by them, shall be followed.

WAC 289-20-020 MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, § 14; 42 U.S.C. § 1983; Ahrens v. Thomas, 434 F. Supp. 873 (W.D. Mo. 1977) aff'd in relevant part, 570 F. 2d 286 (8th Cir. 1978); Laaman v. Helgemoe, 437 F. Supp. 269 (D.N.H. 1977); Vest v. Lubbock County Commissioners Court,

444 F. Supp. 824 (N.D. Tex. 1977); Miller v. Carson, 401 F. Supp. 835 (M.D. Fla. 1975); Brown v. State, 354 So. 2d 633 (La. App. 1978); Jones v. Wittenberg, 330 F. Supp. 707 (D. Ohio 1971), aff'd, 456 F. 2d 854 (6th Cir. 1972); with respect to medical requirements, see authorities cited under WAC 289-20-010.

NEW SECTION

WAC 289-20-030 CLOTHING, BEDDING AND PERSONAL ITEMS. (1) Clothing.

(a) Provision shall be made for separate insect-proof clothing storage to prevent migration of lice from infested clothing.

(b) Prisoners shall be issued clean outer garments at least once a week; clean undergarments and socks shall be issued more frequently.

- (c) If prisoners are required to wear clothing issued by the facility, detention and correctional facilities shall, as necessary, clean and sanitize personal clothing prior to storage.
 - (2) Bedding.
- (a) Prisoners shall be issued clean bed linens and mattress covers upon arrival and at least once a week thereafter.
- (b) Mattresses shall have a washable cover and shall be sanitized at least semi-annually.
- (c) Blankets shall be washed at frequent intervals to maintain a clean condition, but at least once every sixty days, and always before reissue.
 - (3) Personal items.
- (a) Personal care items issued to each prisoner in detention and correctional facilities shall include, but not be limited to, soap, towel, washcloth, toothpaste or powder, toothbrush, and comb. Female prisoners shall be supplied with necessary feminine hygiene items.
- (b) Each prisoner shall be permitted to have a reasonable number of additional personal items, the possession of which does not substantially impede jail management or security.

WAC 289-20-030 MANDATORY: See authorities cited under WAC 289-20-040.

NEW SECTION

WAC 289-20-040 SANITATION. (1) General. (a) All jails shall be kept in a clean and sanitary condition, free from any accumulation of dirt, filth, rubbish, garbage, or other matter detrimental to health.

(b) The housekeeping program shall include a daily general sanita-

tion inspection and daily removal of trash and garbage.

- (c) Each prisoner shall clean his own living area daily. Convicted prisoners may be required to clean other space within the confinement area and pretrial detainees may be permitted to do so voluntarily.
 - (2) Insects, rodents, and pets.
- (a) Insects and rodents shall be eliminated by safe and effective means. Prisoners shall be removed from areas in which insecticides and rodenticides are being used.
 - (b) Pets shall not be allowed in jail facilities.
- (3) Laundry. Each jail shall have adequate laundry facilities which meet the standards of WAC 289-12-030(2)(a)(vi).

WAC 289-20-040 MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, § 14; 42 U.S.C. § 1983; Feeley v. Sampson, 570 F. 2d 364 (1st Cir. 1978); Patterson v. MacDougall, 506 F. 2d 1 (5th Cir. 1975); Black v. Brown, 513 F. 2d 652 (7th Cir. 1975); Ahrens v. Thomas, 434 F. Supp. 873 (W.D. Mo. 1977) aff'd in relevant part, 570 F. 2d 286 (8th Cir. 1978); Mitchell v. Untreiner, 421 F. Supp. 886 (N.D. Fla. 1976); Bel v. Hall, 392 F. Supp. 274 (D. Mass. 1975); Miller v. Carson, 401 F. Supp. 835 (M.D. Fla. 1975); Alberti v. Sheriff of Harris County, 406 F. Supp. 649 (D. Tex. 1975); Jones v. Wittenberg, 330 F. Supp. 707 (D. Ohio 1971), aff'd, 456 F. 2d 854 (6th Cir. 1972).

NEW SECTION

- WAC 289-20-050 FIRE SUPPRESSION. The department of corrections or chief law enforcement officer shall consult with the local fire department having jurisdiction over the facility in developing a fire suppression plan which shall include, but not be limited to:
- (1) A fire prevention plan to be part of the operations manual of policies and procedures;
 - (2) Daily fire prevention inspections by facility staff;
- (3) Fire prevention inspections at least semi-annually by the fire department having jurisdiction. Recommendations resulting from inspections shall be promptly implemented; and
- (4) A regular schedule for inspections, testing and servicing fire suppression equipment.

WAC 289-20-050(1)-(4) MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, § 14; 42 U.S.C. § 1983; Hamilton v. Covington, 445 F. Supp. 195 (W.D. Ark. 1978); Hamilton v. Schico, 338 F. Supp. 1016 (E.D. La. 1970).

Chapter 289-22 WAC CUSTODIAL CARE STANDARDS——SERVICES AND PROGRAMS

NEW SECTION

WAC 289-22-010 SERVICES. (1) Commissary.

- (a) The department of corrections or chief law enforcement officer of each detention and correctional facility shall either establish, maintain, and operate a commissary, or provide prisoners with a printed list of approved items to be purchased at least once a week at local stores.
- (b) Commissary items shall include books, periodicals, and newspapers.
- (c) Proceeds from a jail facility store shall be used for operation and maintenance of the commissary service and/or prisoner welfare expenses.
- (d) If jail rules do not permit prisoners to keep money on their persons, payments for commissary purchases shall be made by debit on a cash account maintained for the prisoner. All expenditures from a prisoner's account shall be accurately recorded and receipted.

WAC 289-22-010(1) MANDATORY: U.S. Const. amend. 8; Const. art. 1, § 14; 42 U.S.C. § 1983; Wolfish v. Levi, 573 F. 2d 118 (2d Cir. 1978); Giampetruzzi v. Malcolm, 406 F. Supp. 836 (S.D. N.Y. 1976); State v. Tomka, 183 Neb. 76, 158 N.W. 2d 213 (1968).

(2) Barber/beauty shop services. All jails shall make reasonable arrangements to provide basic hair care.

WAC 289-22-010(2) MANDATORY: U.S. Const. amend. 8; Const. art. 1, § 14; 42 U.S.C. § 1983; Wolfish v. Levi, 573 F. 2d 118 (2d Cir. 1978); see also health standard cases cited under chapter 289-20 WAC.

(3) Library services. In conjunction with state and/or local library service units, each jail shall make provision for library services.

WAC 289-22-010(3) MANDATORY: U.S. Const. amend. 8; Const. art. 1, § 14; 42 U.S.C. § 1983; Dillard v. Pitchess, 399 F. Supp. 1225 (C.D. Cal. 1975); Miller v. Carson, 401 F. Supp. 835 (M.D. Fla. 1975).

(4) Legal assistance.

(a) When adequate professional legal assistance is not available to prisoners for purposes of preparing and filing meaningful legal papers, a jail shall provide access to necessary law books and reference materials.

WAC 289-22-010(4)(a) MANDATORY: U.S. Const. amend. 14; Const. art. 1, § 3; 42 U.S.C. § 1983; Bounds v. Smith, 430 U.S. 817 (1977).

(b) Facility rules shall not prohibit one prisoner from assisting another in the preparation of legal papers.

WAC 289-22-010(4)(b) MANDATORY: U.S. Const. amend. 14; Const. art. 1, § 3; 42 U.S.C. § 1983; Johnson v. Avery, 393 U.S. 483 (1969); Wolff v. McDonnell, 418 U.S. 539 (1974); U.S. v. West, 557 F. 2d 151 (8th Cir. 1977).

(5) Religious services.

(a) To the extent possible, upon request from a prisoner, the jail facility shall arrange religious services.

(b) Detention and correctional facilities with an average daily population of twenty-five or more shall arrange for weekly religious services.

- (c) To the extent possible, prisoners shall be permitted to observe religious holidays and receive sacraments of their faith.
- (d) Attendance at religious services shall be voluntary, and prisoners who do not wish to hear or participate shall not be exposed to such services.

WAC 289-22-010(5) MANDATORY: U.S. Const. amend. 1; Const. art. 1, § 11; 42 U.S.C. § 1983; Theriault v. Silber, 547 F. 2d. 1279 (5th Cir. 1977); Ray v. Mabry, 556 F. 2d 881 (8th Cir. 1977); Ahrens v. Thomas, 434 F. Supp. 873 (W. D. Mo. 1977), aff'd in relevant part, 570 F. 2d 286 (8th Cir. 1978); Ron v. Levanne, 445 F. Supp. 98 (D. Conn. 1977).

(6) Counseling, guidance, and ancillary services.

- (a) Counseling services shall be available to provide prisoners in detention and correctional facilities with an opportunity to discuss their problems, interests, and program.
- (b) The department of corrections or chief law enforcement officer may utilize volunteer counseling resources available in the community.
- (c) To the extent possible, professionals shall serve in an advisory capacity when jail facility personnel or community volunteers engage in counseling.
- (d) Counselors may submit written recommendations to the chief law enforcement officer or disciplinary review body.
- (e) Counseling services shall be voluntarily received unless ordered by the appropriate court or the disciplinary review body.
- (f) To the extent possible, prisoners being discharged shall receive assistance in obtaining employment, housing, acceptable clothing, and transportation.

WAC 289-22-010(6) ADVISORY.

NEW SECTION

<u>WAC 289-22-020</u> PROGRAMS. (1) Work programs. The department of corrections or chief law enforcement officer may establish work programs except that participation in nondisciplinary work programs by pretrial detainees shall be voluntary.

- (2) Education and training programs.
- (a) Correctional facilities.
- (i) The department of corrections or chief law enforcement officer of each correctional facility shall arrange for the development of an education and training program, utilizing local school districts, colleges, trade schools, unions, industry, interested citizens, and other available community, state, and federal resources.
- (ii) Paid staff member(s) shall have designated responsibility for supervision of the education and training programs.
- (iii) Approved correspondence courses shall be available at the prisoner's request and expense.
- (iv) Correctional facilities shall provide courses to prepare qualified prisoners for the "General Education Development" test.
 - (b) Detention facilities.
- (i) Each detention facility shall provide courses to prepare qualified prisoners for the "General Education Development" test.
- (ii) Detention facilities shall encourage participation in other education and training programs available locally.
 - (3) Leisure time activity programs.
- (a) To the extent possible, detention and correctional facilities shall provide opportunities for all prisoners to participate in leisure time activities of their choice and abilities. Such activities may include athletic programs, hobbies and crafts, table games, radio and television, motion pictures, cards, puzzles, checkers and chess.

WAC 289-22-020(1), (2), and (3)(a) ADVISORY.

(b) Detention and correctional facilities shall arrange for at least one hour of physical exercise per day outdoors, weather permitting.

WAC 289-22-020(3)(b) MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, §§ 3, 14; 42 U.S.C. § 1983; Dorrough v. Hogan, 563 F. 2d 1259 (5th Cir. 1977), reh. den. 567 F. 2d 390 (1978); Sweet v. South Carolina Dep't. of Corrections, 529 F. 2d 854 (4th Cir. 1975); Ahrens v. Thomas, 434 F. Supp. 873

(W.D. Mo. 1977); Moore v. Janing, 427 F. Supp. 567 (D. Neb. 1976); Pugh v. Locke, 406 F. Supp. 318 (M.D. Ala. 1976), aff'd, 559 F. 2d 283 (5th Cir. 1977); Alberti v. Sheriff of Harris County, 406 F. Supp. 649 (S.D. Tex. 1975).

- (c) Volunteers may be used to plan and supervise exercise programs and other leisure time activities, but paid staff member(s) shall have designated responsibility for supervision of such programs.
- (4) Alternative to confinement programs. With the concurrence of the department of corrections or chief law enforcement officer, the disciplinary hearing body may recommend an alternative to confinement to the court of jurisdiction.

WAC 289-22-020(3)(c) and (4) ADVISORY.

Chapter 289–24 WAC CUSTODIAL CARE STANDARDS——COMMUNICATIONS

NEW SECTION

<u>WAC 289-24-010</u> INTRODUCTION. (1) Communication between prisoners and persons outside any jail, and communication between prisoners and staff, shall be encouraged for the purposes of retaining constructive community relationships, stimulating intellectual pursuits, assisting in the attainment of vocational or educational goals, and facilitating legal inquiries.

(2) Communication is deemed a right rather than a privilege and the specific protections afforded communication under this chapter may be abridged only when there are reasonable grounds to believe that facility security or the welfare of the prisoners or staff is endangered.

WAC 289-24-010 MANDATORY: See authorities cited within this chapter under the specific areas of communication covered.

NEW SECTION

WAC 289-24-020 COMMUNICATION WITH STAFF. (1) Communication from prisoner to staff shall be encouraged and respected.

(2) Requests for an audience with staff shall be honored as soon as reasonably possible.

WAC 289-24-020 MANDATORY: The general protection afforded to communication with staff is based on the need for such access to prevent or promptly remedy violations of the mandatory custodial care standards.

NEW SECTION

WAC 289-24-030 TELEPHONE USAGE. (1) The governing unit shall establish and post rules which specify regular telephone usage times and the maximum length of calls (not to be less than five minutes).

(2) Telephone usage hours shall include time during the normal work day and time during the evening.

- (3) Except for a reasonable number of telephone calls to a prisoner's attorney, pastor, employer, or immediate family, calls shall be at the prisoner's expense.
- (4) Location of telephone facilities shall insure reasonable privacy, and telephone conversations shall not be monitored, tape recorded, or spot-checked except by court order.
- (5) Reasons for calls shall be the personal concern of the prisoner, except in consideration of requests for emergency calls beyond normal telephone hours.

WAC 289-24-030 MANDATORY: U.S. Const. amend. 1, 8, 14; Const. art. 1, §§ 3, 5, 14; 42 U.S.C. § 1983; Wolfish v. Levi, 573 F. 2d 118 (2nd Cir. 1978); Ahrens v. Thomas, 434 F. Supp. 873 (W.D. Mo. 1977), aff'd in relevant part, 570 F. 2d 286 (8th Cir. 1978); Moore v. Janing, 427 F. Supp. 567 (D. Neb. 1977); Jones v. Wittenberg, 330 F. Supp. 707 (N.D. Ohio 1971), aff'd, 456 F. 2d 854 (6th Cir. 1972); Brenneman v. Madigan, 343 F. Supp. 128 (N.D. Cal. 1972); Dillard v. Pitchess, 399 F. Supp. 1225 (C.D. Cal. 1975).

NEW SECTION

WAC 289-24-040 MAIL. (1) Newspapers, books, periodicals,

other printed materials, and photographs.

(a) Prisoners shall generally be permitted to subscribe to and otherwise receive books, newspapers, periodicals and other printed materials or photographs which may lawfully be delivered through the United States mails. Such materials may be denied a prisoner only if such denial furthers a substantial governmental interest in jail security or the welfare of prisoners or staff.

(b) When such materials are withheld from a prisoner for the rea-

sons set forth above:

(i) The prisoner shall receive immediate written notice that the publication is being denied, accompanied by an explanation of the reason(s) for the denial;

(ii) The affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right;

(iii) A written decision of the review of the denial, including

reason(s), shall be given to the prisoner requesting review.

WAC 289-24-040(1) MANDATORY: U.S. Const. amend. 1, 8, 14; Const. art. 1, §§ 4, 14; 42 U.S.C. § 1983; Wolfish v. Levi, 573 F. 2d 118 (2nd Cir. 1978); Payne v. Levi, 325 F. Supp. 1191 (N:D. Cal. 1971).

(2) Correspondence.

(a) General.

(i) Incoming or outgoing mail shall be retained no more than one day.

(ii) Except in the case of prisoners without funds, prisoners shall be permitted to mail out any number of letters. Prisoners without funds shall be permitted to mail up to three letters per calendar week at public expense or with postage purchased from the prisoner welfare fund, provided upon proper showing the number may be increased. Each prisoner may mail out any number of letters to his attorney, the courts, and elected federal, state, and county officials.

(iii) No restriction shall be placed on the number of letters a prisoner may receive or on the persons with whom he may correspond.

(iv) These rules shall not preclude a prisoner being required to place his name and a return post office address on outgoing mail.

(b) Pretrial detainees.

(i) Except by order of a court of competent jurisdiction, outgoing mail of pretrial detainees (prisoners not on parole hold, not subject to probation revocation, or not currently under sentence) shall be neither opened nor read.

(ii) Incoming mail of pretrial detainees (as described above) may be opened only for the purpose of inspecting for contraband and afterwards shall be resealed and delivered directly and immediately to the addressee. Such mail shall not be read.

(iii) Whenever feasible, it is recommended that this mail be opened in the presence of the addressee.

(c) Post-conviction prisoners.

(i) Outgoing mail shall not be opened unless the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to institutional security and/or is in violation of postal regulations.

(ii) Incoming mail shall not be read or censored, but may be opened and inspected for contraband, cash, and checks. Mail shall be resealed

for delivery to the addressee.

(d) Contraband and other property received in mail.

(i) Contraband which is not illegal may be destroyed upon the prisoner's written request or returned collect to the sender.

(ii) Dangerous or illegal contraband and the accompanying letter shall be turned over to proper authorities.

(iii) A receipt for permissible items received in the mail, including money or checks shall be signed by a staff member and a copy thereof promptly delivered to the prisoner.

(e) Notice of disapproval of prisoner mail.

(i) When a prisoner is prohibited from sending a letter, the letter and a written and signed notice stating the reason for disapproval, and indicating the portion(s) of the letter causing disapproval, shall be given the prisoner.

- (ii) When a prisoner is prohibited from receiving a letter, the letter and a written signed notice stating the reason(s) for denial and indicating the portion(s) of the letter causing the denial shall be given the sender. The prisoner shall be given notice in writing that the letter has been prohibited, indicating the reason(s) and the sender's name.
- (iii) When a prisoner is prohibited from sending or receiving mail, the affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right.

(iv) A written decision of the review of such denial shall be promptly delivered to the prisoner.

(f) Limitations.

(i) Incoming mail of post—conviction prisoners that is clearly marked as coming from an attorney, court, or elected federal, state, or county official, shall be opened only in the presence of the addressee.

(ii) Mail to or from attorneys, courts or elected federal, state, or

county officials shall not be read.

(iii) There shall be no additional restrictions on prisoner correspondence for disciplinary or punishment purposes, unless the prisoner has violated rules as to correspondence. Upon proper showing of the alleged violation, the prisoner's mail may be restricted for a limited time, but such restriction shall not apply to attorney-client mail or correspondence with the courts.

WAC 289-24-040(2) MANDATORY: U.S. Const. amend. 1, 14; Const. art. 1, §§ 3, 5; 42 U.S.C. § 1983, Procunier v. Martinez, 416 U.S. 396 (1974); Wolff v. McDonnell, 418 U.S. 539 (1974); Robinson v. Peterson, 87 Wn. 2d 665 (1976); Gates v. Collier, 501 F. 2d 1291 (5th Cir. 1974); Ahrens v. Thomas, 434 F. Supp. 873 (W.D. Mo. 1977), aff'd in relevant part, 570 F. 2d 286 (8th Cir. 1978); Pugh v. Locke, 406 F. Supp. 318 (M.D. Ala. 1976); Smith v. Robbins, 454 F. 2d 696 (1st Cir. 1972); Finney v. Arkansas Board of Corrections, 505 F. 2d 194 (8th Cir. 1974).

(3) Packages.

(a) Incoming.

(i) If a facility allows prisoners to receive packages, all packages shall be opened and inspected.

(ii) Packages may be received only if the contents conform to rules adopted by the department of corrections or chief law enforcement officer, and a witnessed receipt for permissible items shall be completed at the time of delivery to the addressee.

(b) Outgoing.

(i) Outgoing packages of prisoner's personal property shall be inspected to insure ownership and compliance with United States postal regulations and shall be mailed at prisoner's expense.

WAC 289-24-040(3) MANDATORY: See authorities cited under WAC 289-24-040(2) and Wolfish v. Levi, 573 F. 2d 118 (2nd Cir. 1978).

NEW SECTION

WAC 289-24-050 VISITATION. (1) General. (a) Open visitation shall be allowed whenever feasible, but prisoners requiring greater security shall be provided with visiting facilities which do not allow physical contact.

(b) The degree of security required for each prisoner during visitation shall be determined by those persons responsible for classification

under WAC 289-16-020.

(2) Social visits.

(a) The department of corrections or chief law enforcement officer shall establish and post rules governing social visits and specifying times therefore.

(b) Each prisoner shall be allowed a minimum of three hours total visitation per week.

(c) Immediate family, i.e., wives, husbands, children, parents, brothers, sisters, grandparents, aunts, and uncles, and any persons so related through marriage, shall be given preference for allowed visitation time unless the prisoner specifies otherwise.

(d) Except for immediate family members, visitors seventeen years of age and under shall be accompanied by a parent or guardian.

- (e) The department of corrections or chief law enforcement officer may grant special visitation privileges to visitors who have traveled long distances, to visitors for hospital prisoners, and for other unusual circumstances.
 - (3) Business and professional visits.

(a) Each prisoner shall be allowed confidential visits from his attor-

ney or legal assistants and his pastor.

(b) By prior arrangement with the department of corrections or the chief law enforcement officer or his designee, a prisoner shall be allowed confidential visits by his employer, doctor, dentist, tax consultant, banker, investment or insurance broker, with educators from a bona fide school or job training facility, and with employment consultants.

- (c) Law enforcement professionals shall be allowed to interview prisoners at reasonable times and with prior notice, unless it appears circumstances do not permit delay.
 - (4) Visitor regulations.
- (a) Signs giving notice that all visitors and their accompanying possessions are subject to search shall be conspicuously posted at the entrances to the facility and at the entrance to the visiting area.
- (b) Any person may refuse a search but, subsequent to such refusal, may then be denied entrance.
- (c) Other reasons for denying entrance to visitors shall include but not be limited to:
- (i) An attempt, or reasonable suspicion of an attempt to bring contraband into the facility.
 - (ii) Obvious influence or effect of alcohol or controlled substances.
 - (iii) Request from the prisoner's physician.

(iv) Request from the prisoner.

(v) Reasonable grounds to believe a particular visit would present a substantial danger to jail security or management or to the welfare of prisoners, staff, or other visitors.

(d) Whenever a visitor is refused admittance, the prisoner shall receive notice of the refusal stating the reasons therefore. The affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right. A written decision of the reviewing body's determination stating the reason(s) therefor shall be furnished the prisoner who requested such review.

WAC 289-24-050 MANDATORY: U.S. Const. amend. 8, 14; Const. art. 1, § 14; 42 U.S.C. § 1983; Wolfish v. Levi, 573 F. 2d 118 (2d Cir. 1978); Miller v. Carson, 563 F. 2d 741 (5th Cir. 1977); Jordan v. Wolke, 444 F. Supp. 599 (E.D. Wisc. 1978); Ambrose v. Malcolm, 440 F. Supp. 51 (S.D. N.Y. 1977); Dillard v. Pitchess, 399 F. Supp. 1225 (C.D. Cal. 1975).

WSR 78-08-075 PROPOSED RULES DEPARTMENT OF NATURAL RESOURCES BOARD OF NATURAL RESOURCES

[Filed July 26, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 79.64.040, that the Board of Natural Resources, Department of Natural Resources, intends to adopt, amend, or repeal rules concerning the deduction of proceeds of leases, sales, contracts, licenses, permits, easements and rights of way for transmission into the Resource Management Cost Account, repealing WAC 332-100-010 and adding a new section WAC 332-100-040:

and that the adoption, amendment, or repeal of such rules will take place at 10 a.m., Tuesday, September 5, 1978, in the Office of the Commissioner of Public Lands, Public Lands Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 34.04.025 and 79.64.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 5, 1978.

Dated: July 26, 1978
By: Bert L. Cole
Commissioner of Public Lands

NEW SECTION

WAC 332-100-040 DEDUCTION DETERMINATION. 1. The board of natural resources hereby determines that a deduction from the gross proceeds of all leases, sales, contracts, licenses, permits, easements, and rights of way issued by the department of natural resources and affecting public lands as provided for in subsection (2) hereof is necessary in order to achieve the purposes of chapter 79.64 RCW.

(2) The department of natural resources shall deduct the maximum percentages as provided for in RCW 79.64.040 except that deductions from the gross proceeds of harbor area leases shall be at twenty percent. Except for transactions involving aquatic lands, harbor areas and trust land categories with a deficit revenue/expenditure status, the deductions may be temporarily discontinued by a resolution of the board of natural resources at such times as the balance in the resource management cost account exceeds an amount equal to twelve (12) months operating expenses for the department of natural resources. The duration of such orders shall be for a specified time period calculated to allow a reduction of the resource management cost account balance to an amount approximately equal to eight (8) months operating expenses for the department. Operating expense needs will be determined by the board based on pro-rata increments of biennial legislative appropriations. All sums so deducted shall be paid into the resource management cost account in the state general fund created by chapter 79.64 RCW.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 332-100-010 PERCENTAGE OF PROCEEDS TO MANAGEMENT ACCOUNT.

WSR 78-08-076

ADOPTED RULES

DEPARTMENT OF ECOLOGY
[Order DE 78-9-Filed July 26, 1978]

I, Wilbur G. Hallauer, director of the Department of Ecology, do promulgate and adopt at the Hearings Room, Department of Ecology, Lacey, WA, the annexed rules relating to amending WAC 173-19-390(9) to approve and adopt the amended City of Marysville shorelines master program and incorporate said program by reference into the State Master Program (chapter 173-19 WAC) pursuant to the Shoreline Management Act of 1971 (RCW 90.58.030(3)(c)).

This action is taken pursuant to Notice No. WSR 78-05-017 filed with the code reviser on 4/13/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.58.020 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 18, 1978.

By Wilbur G. Hallauer Director

AMENDATORY SECTION (Amending Order 77-16, filed 9/9/77)

WAC 173-19-390 SNOHOMISH COUNTY. Snohomish County master program approved or adopted December 27, 1974.

- (1) Arlington master program approved or adopted December 27, 1974.
- (2) Brier master program approved or adopted December 27, 1974.
- (3) Edmonds master program approved or adopted January 23, 1976.
- (4) Everett master program approved or adopted January 5, 1976.
- (5) Gold Bar master program approved or adopted December 27, 1974.
- (6) Granite Falls master program approved or adopted December 27, 1974.
- (7) Index master program approved or adopted December 27, 1974.
- (8) Lake Stevens master program approved or adopted December 27, 1974.
- (9) Marysville master program approved or adopted January 22, 1975. Amended August 10, 1977.
- (10) Monroe master program approved or adopted December 27, 1974.
- (11) Mountlake Terrace master program approved or adopted December 27, 1974.
- (12) Mukilteo master program approved or adopted September 20, 1974.
- (13) Snohomish master program approved or adopted September 20, 1974.
- (14) Stanwood master program approved or adopted April 9, 1976.
- (15) Sultan master program approved or adopted December 27, 1974.
- (16) Woodway master program approved or adopted December 27, 1974.

WSR 78-08-077 PROPOSED RULES COMMISSION ON EQUIPMENT [Filed July 27, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Commission on Equipment intends to adopt, amend, or repeal rules concerning the amending of WAC 204-66-080, Processing of Application, for a tow truck application. The applicant should be provided the opportunity to appear before the Commission on Equipment when his application for a towing business for the Washington State Patrol has been recommended by the tow truck inspector and district commander for denial;

that such agency will at 1:30 p.m., Friday, August 18, 1978, in the large conference room, first floor, General

Administration Building, Olympia conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Friday, August 18, 1978, in the large conference room, first floor, General Administration Building, Olympia.

The authority under which these rules are proposed is SHB 228, chapter 167, Laws of 1977.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 18, 1978, and/or orally at 1:30 p.m., Friday, August 18, 1978, large conference room, first floor, General Administration Building, Olympia.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-02-106 filed with the code reviser's office on February 1, 1978.

Dated: July 26, 1978
By: M. J. Obert
Secretary

Chapter 204-66 WAC TOWING BUSINESSES

WAC 204-66-080

AMENDATORY SECTION (Amending Order 7720 filed 10/14/77)

WAC 204-66-080 PROCESSING OF APPLICATION. Every application for authorization to provide a towing service at the request of the Patrol, following inspection and certification pursuant to this regulation, will be referred to the Commission ((at its next meeting)). If the Commission finds that the requirements of this regulation have been or will be satisfied by the applicant and that the applicant is otherwise qualified, or that standards have been waived, the Commission shall issue an appropriate letter of appointment. If the Commission shall find that the applicant does not or will not meet the requirements of this regulation or is not qualified regardless of waiver, then the Commission shall deny such application and shall so notify the applicant of its decision, stating the reasons therefore in writing. If a letter of appointment is granted, the Commission will notify the applicant in writing and notify the Patrol directing them to use the services of the applicant in accordance with this regulation.

If the district commander of the Washington State Patrol district concerned recommends denial of a business application for authorization to provide a towing service for the Patrol, the Secretary to the Commission on Equipment shall notify the applicant and the district commander that the applicant and the district commander, or his designee, have the right to appear before the Commission on Equipment when the application is to be considered to show cause why the appli-

cation should or should not be approved.

WSR 78-08-078

ADOPTED RULES

COMMISSION ON EQUIPMENT [Order 7760—Filed July 27, 1978]

Be it resolved by the Washington State Commission on Equipment, acting at General Administration Building, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to practice and procedure, amending chapter 204-08 WAC.

This action is taken pursuant to Notice No. WSR 78-06-107 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule—making authority of the Washington State Commission on Equipment as authorized in RCW 46.37.005.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 21, 1978.

By R. W. Landon Chairman

Chapter 204–08 WAC PRACTICE AND PROCEDURE

WAC

204-08-010 Definition

204-08-030 Declaratory Rulings

204-08-100 Procedure for Obtaining Approval of

Automotive Equipment Within the

Scope of RCW 46.37.005 and

46.37.320

AMENDATORY SECTION (Amending Rule I; Filed 3/21/60)

WAC 204-08-010 DEFINITION. "Commission" wherever used herein shall mean the state commission on equipment as established in RCW ((46.36.010)) 46.37.005.

AMENDATORY SECTION (Amending Rule III; Filed 3/21/60)

WAC 204-08-030 DECLARATORY RULINGS. (1) As prescribed in RCW 34.04.080, any interested person may petition the commission for a declaratory ruling. The commission shall consider the petition and within a reasonable length of time shall:

(a) issue a non-binding declaratory ruling; or

(b) notify the person that no declaratory ruling is to be issued((,)); or

(c) set a reasonable time and place for an oral hearing or the submission of written evidence upon the matter, and give reasonable notification to the person of the time and place for such hearing or submission and of the issues involved.

If a hearing as provided in subsection (c) is conducted, the commission shall within a reasonable time:

(1) Issue a binding declaratory rule; or

(2) Issue a non-binding declaratory rule; or

(3) Notify the person that no declaratory ruling is to be issued.

AMENDATORY SECTION (Amending Rule VI; Filed 3/21/60)

WAC 204-08-100 PROCEDURE FOR OBTAINING APPROVAL OF AUTOMOTIVE EQUIPMENT WITHIN THE SCOPE OF RCW ((46.36.010)) 46.37.005 AND 46.37.320. (1) Standards for approval.

- (a) The device must meet the current specifications for that device as outlined by the Society of Automotive Engineers in the Society of Automotive Engineers Handbook or as outlined by the American Standards Association.
- (b) Where standards have not been set by either the Society of Automotive Engineers or the American Standards Association the standards shall be those standards set by the commission on equipment in a published commission on equipment regulation.

(2) Method for obtaining approval.

(a) To obtain approval the petitioner must ((submit to the state commission on equipment the following:)) provide for submission of any lighting device, or other safety equipment, component, or assembly to any recognized organization or agency such as, but not limited to, the Vehicle Equipment Safety Commission, American National Standards Institute, Society of Automotive Engineers, and the American Association of Motor Vehicle Administrators, as the agent of the state commission on equipment, and for the issuance of an approved certificate by that recognized organization or agency to the state commission on equipment.

(b) If any lighting device, or other safety equipment, component, or assembly cannot be submitted to the organization or agency named in the above paragraph (a), then the petitioner must submit to the state commission

on equipment the following:

(i) a copy of a test report from a nationally recognized testing laboratory certifying that the device meets the current specifications for that device as ((outlined by either the Society of Automotive Engineers or the American Standards Association)) prescribed by the commission in a published commission regulation.

(ii) a sample of the device as marketed when request-

ed by the commission on equipment.

(iii) correspondence, test reports and samples are to be submitted to: Secretary, State Commission on Equipment, Washington State Patrol, General Administration Building AX-12, Olympia, Washington 98504.

(3) Forms and files of the state commission on equipment. Certificates of approval shall be on forms provided by the secretary of the state commission on equipment and the files of the state commission on equipment shall be kept by the secretary of the state commission on equipment in the offices of the Washington state patrol.

WSR 78-08-079

ADOPTED RULES

COMMISSION ON EQUIPMENT OF COMMISSION OF COMMISSION

Be it resolved by the Commission on Equipment, acting at General Administration Building, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to Towing Businesses, amending chapter 204-66 WAC.

This action is taken pursuant to Notice No. WSR 78-06-107 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 167, E-1, 1st Ex. Session, Laws of 1977, which directs that the Washington State Commission on Equipment has authority to implement the provisions of chapter 167, E-1, 1st Ex. Session, Laws of 1977.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 21, 1978.

By R. W. Landon Chairman

Chapter 204-66 WAC TOWING BUSINESSES

WAC	
204-66-060	Inspections
204-66-160	Minimum Standards for Tow Trucks
204-66-170	Tow Truck Classifications
204-66-180	Vehicle Towing Operator
	Qualifications

AMENDATORY SECTION (Amending Order 7720 filed 10/14/77)

WAC 204-66-060 INSPECTIONS. Upon receipt of an application for a letter of appointment, the secretary of the commission shall cause the patrol to conduct an inspection of the applicant's place of business, facilities, and equipment to determine if the applicant qualifies for the issuance of a letter of appointment pursuant to these regulations. Verification must be shown to the inspector that the applicant's request for a letter of appointment complies with or is authorized variance from all applicable local laws and regulations as prescribed for the geographical area where the towing business will be established.

- (1) Inspections will be conducted at least once a year.
- (2) Inspectors will be designated by the district
- (3) After a letter of appointment has been issued, the district commander will cause to be affixed to each qualified tow truck a decal indicating that a particular tow truck has been "approved" by the commission.
- (a) The decal will be affixed to the windshield on the lower right corner.
- (b) Upon termination of a letter of appointment, the decal will immediately be removed.

AMENDATORY SECTION (Amending Order 7720 filed 10/14/77)

WAC 204-66-160 MINIMUM STANDARDS FOR TOW TRUCKS. Except as provided in WAC 204-66-170, tow trucks used in response to requests from the patrol shall have a minimum manufacturer's gross vehicle weight rating of 10,000 pounds or its equivalent. Tow trucks shall be equipped with dual tires on the rear axle or duplex type tires, sometimes referred to as super single, with a load rating that is comparable

to dual tire rating. Each tow truck shall also be equipped as follows:

- (1) With all legal light, equipment, and licensing requirements for trucks and/or tow trucks and the operation thereof.
- (2) Dual or single boom capacity of not less than six tons with a minimum of two cables.
- (3) A minimum of one hundred feet of 3/8 inch continuous length cable, or its equivalent, in working condition on each drum.
- (4) One revolving or intermittent red light with 360 degree visibility. Such red light will not be used when responding to a call, but only at the scene when necessary to warn approaching traffic of impending danger.
 - (5) A broom and shovel.
- (6) A tow sling or other comparable device made of a material designed to protect vehicles/motorcycles while being towed.
 - (7) A 20 BC rating fire extinguisher(s) or equivalent.
- (8) A minimum of two snatch blocks or their equivalent in working condition.
- (9) A portable dolly, or its equivalent, for hauling vehicles that are not towable.
 - (10) Two pinch bars or ((comparable)) equivalent.
- (11) A two-way radio having the ability to communicate with a base station.
- (12) Portable lights for unit being towed including, but not limited to, taillights, stop lights, and directional signals.

In addition to the preceding, the following is required:

- (1) Tow truck interior will be reasonably clean.
- (2) Tow truck drivers will clean accident/incident scenes of all glass and debris.
- (3) All equipment used in conjunction with the tow truck must be commensurate with the manufacturer's basic boom rating.
- (4) All tow trucks shall display the firm's name, address, and telephone number. Such information shall be painted on or permanently affixed to the vehicle.
- (5) When a tow truck is added to the business, or when the reinspection of a tow truck is necessary, the district commander will be contacted to ascertain where and when the inspection will be given.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 7720 filed 10/14/77)

WAC 204-66-170 TOW TRUCK CLASSIFICA-TIONS. (1) Class "A": Tow trucks that are capable of towing and recovery operations for passenger cars, pickup trucks, small trailers, or equivalent vehicles. The minimum standards stated in WAC 204-66-160 shall apply to class "A" tow trucks.

- (2) Class "B": Tow trucks that are capable of towing and recovery operations for medium size trucks, trailers, motor homes, or equivalent vehicles. Class "B" tow trucks shall have:
- (a) A minimum manufacturer's gross vehicle weight rating of 16,000 pounds or its equivalent.

- (b) Boom capacity of not less than ten tons.
- (c) A minimum of one hundred and fifty feet of 7/16 inch continuous length cable, or its equivalent, on each drum in working condition. (d) The remaining minimum standards stated in WAC 204-66-160.
- (3) Class "C": Tow trucks that are capable of towing and recovery operations for large trucks, road tractors, trailers, or equivalent vehicles. Class "C" tow trucks shall have:
 - (a) Tandem rear axle truck chassis.
 - (b) Boom capacity of not less than twenty tons.
- (c) A minimum of one hundred and fifty feet of 9/16 inch continuous length cable, or its equivalent, on each drum in working condition.
- (d) Air brakes and an air system capable of supplying air to the towed unit.
- (e) The remaining minimum standards stated in WAC 204-66-160; provided portable dollies shall not be required.
- (4) Class "D": All other tow trucks that do not meet the classification requirements in WAC 204-66-160 and 170, and which are specially approved by the commission. Prior to special approval, the district commander concerned shall have stated in writing the need for, capabilities, size, and equipment of the tow truck.

AMENDATORY SECTION (Amending Order 7720 filed 11/18/77)

WAC 204-66-180 VEHICLE TOWING OPERATOR QUALIFICATIONS. In addition to WAC 204-66-160, tow truck operators appointed to perform towing services pursuant to this regulation shall observe the following practices and procedures:

- (1) When called by the patrol, the tow truck operator will dispatch a tow truck within five minutes during normal business hours.
- (2) Tow trucks dispatched at the request of the patrol after normal business hours, will be on the move within the assigned zone within ten minutes after receiving the call.
- (3) The tow truck that is dispatched will arrive at the stated location within a reasonable time considering distance and traffic conditions.
- (4) If for any reason a tow operator is unable to dispatch a tow truck within the stated time, the tow truck operator shall so advise the patrol. In the event the tow truck does not arrive at the scene within a reasonable time, the patrol will contact another tow business to perform the necessary services.
- (5) A tow operator on rotation who is unable to dispatch within the time stated in WAC 204-66-180, paragraphs 1, 2, 3, and 4, will forfeit his turn and be placed at the bottom of the rotation list as if he had responded.
- (6) Consistent refusal or failure of the appointee to respond to calls from the patrol for towing services may result in the suspension or revocation of the tow operator's letter of appointment.
- (7) The tow operator will advise the patrol when he receives a private call for a tow and the circumstances indicate that the tow is for a vehicle which has been involved in an accident or other such incident on the public roadway. The tow operator also will advise the patrol

- of all traffic accidents on private property resulting in bodily injury or death when the operator has received a private call for a tow at such an accident.
- (8) The tow operator will notify the patrol before moving any vehicle involved in an accident on a public highway under the jurisdiction of the patrol as defined in the Motor Vehicle Code, Title 46 RCW, or where it appears that the driver of the vehicle to be moved is under the influence of intoxicants or drugs, or is otherwise incapacitated.
- (9) When the patrol is in charge of an accident scene or other such incident, a tow operator shall not respond to such scene unless his services have been specifically requested by the patrol or the driver/owner or his agent.
- (10) The tow operator shall be available twenty-four hours a day for the purpose of receiving calls or arranging for the release of vehicles. Business hours will be posted conspicuously at the operator's place of business so they can be seen during business hours and nonbusiness hours. A copy will also be sent to the secretary of the commission and patrol district commander of the district in which the tow operator does business. Changes of business hours will be sent to the secretary of the commission and district commander ten days before their effective date.
- (11) The tow operator shall have a secure storage area for the vehicles stored by the operator at the request of the patrol. Such storage area shall comply with department of licensing requirements for registered disposers (WAC 308-61-110).
- (12) Tow operators will notify the appropriate patrol office of the release of stored vehicles within five work days after the release of such vehicle. Notification to the patrol will be made in such a manner prescribed by the district commander of the area concerned.
- (13) Tow operators will post current towing service rates in a conspicuous place at the company's place of business. A copy of the current rates will be sent to the secretary of the commission and patrol district commander of the district in which the tow operator has applied for a letter of appointment. Any change(s) in service rates will be forwarded to the district commander of the area and to the secretary of the commission ten days prior to the proposed change(s).
- (14) If the commission receives written complaints from towing customers or the patrol concerning commission appointed tow businesses alleging "price gouging," "over-charging," charging for services not received, and other such pricing abuses and/or any improprieties, it will cause such allegations to be investigated by the patrol.
- (15) Tow operators will maintain, for one year, records on towed and released vehicles which were towed at the request of the patrol. This record will include but not be limited to:
- (a) An itemized receipt of charges to the claimant of the vehicle.
- (b) An inventory sheet or copy thereof made out by the trooper at the scene of the tow and signed by the tow truck driver.

Such records will be available for inspection by the patrol during normal business hours at the appointee's

place of business for which the letter of appointment has been issued.

- (16) The tow truck driver will sign an inventory sheet made out by the trooper at the scene of the tow and receive a copy.
- (17) Tow operators will obtain registration as a disposer by the department of licensing pursuant to chapter 308-61 WAC.
- (18) Each towing operator shall carry at least five thousand dollars of insurance to protect against vehicle damage from, including but not limited to, fire and theft incurred from the time a vehicle comes into his custody pursuant to this regulation, until he releases or otherwise disposes of it. Each towing operator shall also carry at least fifty thousand dollars of liability insurance for property or bodily injury. Insurance must be sufficient to compensate for any loss of or damage to property entrusted to the towing firm.

The commission shall be notified within ten days of any change which leaves the tow operator without the necessary minimum coverage. A copy of the insurance policy or certificate of coverage shall be filed with the secretary of the commission. The insurer shall notify the commission within five days if the policy is canceled.

(19) Tow operators shall perform towing tasks competently. The standard of competence shall be that quality of work which is accepted as efficient and effective within the towing industry.

WSR 78-08-080 PROPOSED RULES OFFICE OF FINANCIAL MANAGEMENT [Filed July 27, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of Financial Management intends to adopt, amend, or repeal rules concerning chapter 10.97 RCW rules for the provision of physical security and personnel safeguards over the dissemination of information pertaining to subjects named in criminal history files. In addition, WAC 365-50-300, contract for services, is amended to better reflect State Planning Agency authority to require compliance to all physical security and personnel standards, as established by section 10.97.909(2) RCW. The form prescribed in WAC 365-50-560 may be used for this purpose;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Friday, September 15, 1978, in the House Office Building.

The authority under which these rules are proposed is RCW 10.97.090(1) and (2).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 31, 1978.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-07-020 filed with the code reviser's office on June 15, 1978.

Dated: July 27, 1978 By: Gerald Sorte Deputy Director

WSR 78-08-081 PROPOSED RULES DEPARTMENT OF GENERAL ADMINISTRATION [Filed July 27, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, 43.17.060 and 75.44.050, that the Department of General Administration intends to adopt, amend, or repeal rules concerning Fishermen Loan Program, chapter 236-32 WAC;

that such agency will at 1:30 p.m., Tuesday, September 5, 1978, in the Conference room, Department of General Administration, 218 General Administration Building, Olympia conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Tuesday, September 5, 1978, in the Conference room, Department of General Administration, 218 General Administration Building, Olympia.

The authority under which these rules are proposed is RCW 43.17.060 and 75.44.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 5, 1978, and/or orally at 1:30 p.m., Tuesday, September 5, 1978, Conference room, Department of General Administration, 218 General Admin. Bldg., Olympia, WA 98504.

> Dated: July 26, 1978 By: Vernon L. Barnes Director

Chapter 236-32 WAC FISHERMEN LOAN PROGRAM

REPEALER

The following sections of the Washington Administrative Code are each repealed:

(1) WAC 236-32-001 (2) WAC 236-32-010 PURPOSE.

EARNED INCOME.

PRODUCTIVE COMMERCIAL (3) WAC 236-32-020 FISHERMAN.

(4) WAC 236-32-030 FINANCIAL ASSISTANCE NOT OTHERWISE AVAILABLE.

(5) WAC 236-32-040 SOUNDNESS OF LOAN. (6) WAC 236-32-050 COORDINATION WITH DEPART-

MENT OF FISHERIES. **ELIGIBILITY CONFIRMED-**(7) WAC 236-32-060

DENIED. APPLICATION FORM-(8) WAC 236-32-070 TACHED DOCUMENTS.

(9) WAC 236-32-080 LOANS WHICH CANNOT BE MADE.

DENIAL OF LOANS. (10) WAC 236-32-100

WSR 78-08-082

ADOPTED RULES INSURANCE COMMISSIONER

[Order R 78-3-Filed July 27, 1978-Eff. Sept. 1, 1978]

I, Dick Marquardt, Insurance Commissioner of the State of Washington, do promulgate and adopt at Olympia, Washington, the annexed rules relating to acts and practices in the conduct of the business of insurance which are unfair or deceptive, and defining minimum standards relative to claims settlement practices.

This action is taken pursuant to Notice No. WSR 78-06-028 filed with the code reviser on 5/18/78. Such rules shall take effect at a later date, such date being September 1, 1978.

This rule is promulgated pursuant to RCW 48.02.060 and 48.30.010 which directs that the Insurance Commissioner has authority to implement the provisions of RCW 48.30.010 by defining acts and practices the commissioner has found to be unfair or deceptive in the conduct of the business of insurance.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 27, 1978.

Dick Marquardt, Insurance Commissioner
By Robert E. Johnson
Deputy Commissioner

NEW SECTION

WAC 284-30-300 AUTHORITY AND PUR-POSE. RCW 48.30.010 authorizes the commissioner to define methods of competition and acts and practices in the conduct of the business of insurance which are unfair or deceptive. The purpose of this regulation, WAC 284-930-300 through 284-30-410, is to define certain minimum standards which, if violated with such frequency as to indicate a general business practice, will be deemed to constitute unfair claims settlement practices.

NEW SECTION

WAC 284-30-310 SCOPE. This regulation applies to all insurers and to all insurance policies and insurance contracts. This regulation is not exclusive, and acts performed, whether or not specified herein, may also be deemed to be violations of specific provisions of the insurance code or other regulations.

NEW SECTION

WAC 284-30-320 DEFINITIONS. When used in this regulation:

- (1) "Agent" means any individual, corporation, association, partnership or other legal entity authorized to represent an insurer with respect to a claim;
- (2) "Claimant" means either a first party claimant, a third party claimant, or both and includes such claimant's designated legal representative and includes a member of the claimant's immediate family designated by the claimant;
- (3) "First party claimant" means an individual, corporation, association, partnership or other legal entity asserting a right to payment under an insurance policy or insurance contract arising out of the occurrence of the contingency or loss covered by such policy or contract;
- (4) "Insurance policy" or "insurance contract" mean any contract of insurance, indemnity, suretyship, or annuity issued, proposed for issuance, or intended for issuance by any insurer;

- (5) "Insurer" means any individual, corporation, association, partnership, reciprocal exchange, interinsurer, Lloyds insurer, fraternal mutual insurer, fraternal mutual life insurer, and any other legal entity engaged in the business of insurance, authorized or licensed to issue or who issues any insurance policy or insurance contract in this state. "Insurer" does not include health care service contractors, as defined in RCW 48.44.010, and health maintenance organizations, as defined in RCW 48.46.020;
- (6) "Investigation" means all activities of an insurer directly or indirectly related to the determination of liabilities under coverages afforded by an insurance policy or insurance contract;
- (7) "Notification of claim" means any notification, whether in writing or other means acceptable under the terms of an insurance policy or insurance contract, to an insurer or its agent, by a claimant, which reasonably apprises the insurer of the facts pertinent to a claim; and
- (8) "Third party claimant" means any individual, corporation, association, partnership or other legal entity asserting a claim against any individual, corporation, association, partnership or other legal entity insured under an insurance policy or insurance contract of an insurer.

NEW SECTION

WAC 284-30-330 UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES DEFINED. The following are hereby defined as unfair methods of competition and unfair or deceptive acts or practices in the business of insurance:

- (1) Misrepresenting pertinent facts or insurance policy provisions.
- (2) Failing to acknowledge and act reasonably promptly upon communications with respect to claims arising under insurance policies.
- (3) Failing to adopt and implement reasonable standards for the prompt investigation of claims arising under insurance policies.
- (4) Refusing to pay claims without conducting a reasonable investigation.
- (5) Failing to affirm or deny coverage of claims within a reasonable time after proof of loss statements have been completed.
- (6) Not attempting in good faith to effectuate prompt, fair and equitable settlements of claims in which liability has become reasonably clear.
- (7) Compelling insureds to institute litigation to recover amounts due under an insurance policy by offering substantially less than the amounts ultimately recovered in actions brought by such insureds.
- (8) Attempting to settle a claim for less than the amount to which a reasonable man would have believed he was entitled by reference to written or printed advertising material accompanying or made part of an application.
- (9) Making claims payments to insureds or beneficiaries not accompanied by a statement setting forth the coverage under which the payments are being made.
- (10) Asserting to insureds or claimants a policy of appealing from arbitration awards in favor of insureds or





claimants for the purpose of compelling them to accept settlements or compromises less than the amount awarded in arbitration.

- (11) Delaying the investigation or payment of claims by requiring an insured, claimant, or the physician of either to submit a preliminary claim report and then requiring subsequent submissions which contain substantially the same information.
- (12) Failing to promptly settle claims, where liability has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage.
- (13) Failing to promptly provide a reasonable explanation of the basis in the insurance policy in relation to the facts or applicable law for denial of a claim or for the offer of a compromise settlement.
- (14) Unfairly discriminating against claimants because they are represented by a public adjuster.
- (15) Failure to expeditiously honor drafts given in settlement of claims.
- (16) Failure to adopt and implement reasonable standards for the processing and payment of claims once the obligation to pay has been established.

NEW SECTION

WAC 284-30-340 FILE AND RECORD DOCU-MENTATION. The insurer's claim files shall be subject to examination by the Commissioner or by his duly appointed designees. Such files shall contain all notes and work papers pertaining to the claim in such detail that pertinent events and the dates of such events can be reconstructed.

NEW SECTION

- WAC 284-30-350 MISREPRESENTATION OF POLICY PROVISIONS. (1) No insurer shall fail to fully disclose to first party claimants all pertinent benefits, coverages or other provisions of an insurance policy or insurance contract under which a claim is presented.
- (2) No agent shall conceal from first party claimants benefits, coverages or other provisions of any insurance policy or insurance contract when such benefits, coverages or other provisions are pertinent to a claim.
- (3) No insurer shall deny a claim for failure to exhibit the property without proof of demand and unfounded refusal by a claimant to do so.
- (4) No insurer shall, except where there is a time limit specified in the policy, make statements, written or otherwise, requiring a claimant to give written notice of loss or proof of loss within a specified time limit and which seek to relieve the company of its obligations if such a time limit is not complied with unless the failure to comply with such time limit prejudices the insurer's rights.
- (5) No insurer shall request a first party claimant to sign a release that extends beyond the subject matter that gave rise to the claim payment.
- (6) No insurer shall issue checks or drafts in partial settlement of a loss or claim under a specific coverage

which contain language which release the insurer or its insured from its total liability.

NEW SECTION

WAC 284-30-360 FAILURE TO ACKNOWL-EDGE PERTINENT COMMUNICATIONS. (1) Every insurer, upon receiving notification of a claim shall, within ten working days, or 15 working days with respect to claims arising under group insurance contracts, acknowledge the receipt of such notice unless payment is made within such period of time. If an acknowledgement is made by means other than writing, an appropriate notation of such acknowledgement shall be made in the claim file of the insurer and dated. Notification given to an agent of an insurer shall be notification to the insurer.

- (2) Every insurer, upon receipt of any inquiry from the office of the insurance commissioner respecting a claim shall, within fifteen working days of receipt of such inquiry, furnish the department with an adequate response to the inquiry.
- (3) An appropriate reply shall be made within ten working days, or 15 working days with respect to communications arising under group insurance contracts, on all other pertinent communications from a claimant which reasonably suggest that a response is expected.
- (4) Every insurer, upon receiving notification of claim, shall promptly provide necessary claim forms, instructions, and reasonable assistance so that first party claimants can comply with the policy conditions and the insurer's reasonable requirements. Compliance with this paragraph within the time limits specified in subsection (1) of this section shall constitute compliance with that subsection.

NEW SECTION

WAC 284-30-370 STANDARDS FOR PROMPT INVESTIGATION OF CLAIMS. Every insurer shall complete investigation of a claim within thirty days after notification of claim, unless such investigation cannot reasonably be completed within such time. All persons involved in the investigation of a claim shall provide reasonable assistance to the insurer in order to facilitate compliance with this provision.

NEW SECTION

WAC 284-30-380 STANDARDS FOR PROMPT, FAIR AND EQUITABLE SETTLEMENTS APPLICABLE TO ALL INSURERS. (1) Within fifteen working days after receipt by the insurer of properly executed proofs of loss, the first party claimant shall be advised of the acceptance or denial of the claim by the insurer. No insurer shall deny a claim on the grounds of a specific policy provision, condition, or exclusion unless reference to such provision, condition, or exclusion is included in the denial. The denial must be given to the claimant in writing and the claim file of the insurer shall contain a copy of the denial.

(2) If a claim is denied for reasons other than those described in subsection (1) and is made by any other

means than writing, an appropriate notation shall be made in the claim file of the insurer.

- (3) If the insurer needs more time to determine whether a first party claim should be accepted or denied, it shall so notify the first party claimant within fifteen working days after receipt of the proofs of loss giving the reasons more time is needed. If the investigation remains incomplete, the insurer shall, within forty-five days from the date of the initial notification and no later than every thirty days thereafter, send to such claimant a letter setting forth the reasons additional time is needed for investigation.
- (4) Insurers shall not fail to settle first party claims on the basis that responsibility for payment should be assumed by others except as may otherwise be provided by policy provisions.
- (5) Insurers shall not continue negotiations for settlement of a claim directly with a claimant who is neither an attorney nor represented by an attorney until the claimant's rights may be affected by a statute of limitations or a policy or contract time limit, without giving the claimant written notice that the time limit may be expiring and may affect the claimant's rights. Such notice shall be given to first party claimants thirty days and to third party claimants sixty days before the date on which such time limit may expire.
- (6) No insurer shall make statements which indicate that the rights of a third party claimant may be impaired if a form or release is not completed within a given period of time unless the statement is given for the purpose of notifying the third party claimant of the provision of a statute of limitations.

NEW SECTION

WAC 284-30-390 STANDARDS FOR PROMPT, FAIR AND EQUITABLE SETTLEMENTS APPLICABLE TO AUTOMOBILE INSURANCE. The following standards apply to insurance claims relating to motorcycles and private passenger automobiles as defined in RCW 48.18.297: (1) When the insurance policy provides for the adjustment and settlement of first party automobile total losses on the basis of actual cash value or replacement with another of like kind and quality, one of the following methods must apply:

- (a) The insurer may elect to offer a replacement automobile which is a specific comparable automobile available to the insured, with all applicable taxes, license fees and other fees incident to transfer of evidence of ownership of the automobile paid, at no cost other than any deductible provided in the policy. The offer and any rejection thereof must be documented in the claim file.
- (b) The insurer may elect a cash settlement based upon the actual cost, less any deductible provided in the policy, to purchase a comparable automobile including all applicable taxes, license fees and other fee incident to transfer of evidence of ownership of a comparable automobile. Such cost may be determined by
- (i) The cost of a comparable automobile in the local market area when a comparable automobile is available in the local market area.

- (ii) One of two or more quotations obtained by the insurer from two or more qualified dealers located within the local market area when a comparable automobile is not available in the local market area.
- (c) When a first party automobile total loss is settled on a basis which deviates from the methods described in subsections (1)(a) and (1)(b) of this section, the deviation must be supported by documentation giving particulars of the automobile condition. Any deductions from such cost, including deduction for salvage, must be measurable, discernible, itemized and specified as to dollar amount and shall be appropriate in amount. The basis for such settlement shall be fully explained to the first party claimant.
- (2) Where liability and damages are reasonably clear, insurers shall not recommend that third party claimants make claim under their own policies solely to avoid paying claims under such insurer's insurance policy or insurance contract.
- (3) Insurers shall not require a claimant to travel unreasonably either to inspect a replacement automobile, to obtain a repair estimate or to have the automobile repaired at a specific repair shop, or to obtain a temporary rental or loaner automobile.
- (4) Insurers shall, upon the claimant's request, include the first party claimant's deductible, if any, in subrogation demands. Subrogation recoveries shall be shared on a proportionate basis with the first party claimant, unless the deductible amount has been otherwise recovered. No deduction for expenses can be made from the deductible recovery unless an outside attorney is retained to collect such recovery. The deduction may then be for only a pro rata share of the allocated loss adjustment expense.
- (5) If an insurer prepares an estimate of the cost of automobile repairs, such estimate shall be itemized and shall be in an amount for which it may be reasonably expected the damage can be satisfactorily repaired. The insurer shall give a copy of the estimate to the claimant and shall, upon request, furnish to the claimant the names of repair shops convenient to the claimant that will satisfactorily complete the repairs for the estimated cost.
- (6) In first party claim situations, if an insurer elects to exercise a contract right to repair and designates a specific repair shop for automobile repairs, the insurer shall cause the damaged automobile to be restored to its condition prior to the loss at no additional cost to the claimant other than as stated in the policy and within a reasonable period of time.
- (7) In any claim situation, an insurer shall make a good faith effort to honor a claimant's request for repairs to be made in a specific repair shop of the claimant's choice, and shall not arbitrarily deny such request. A denial of such a request solely because of the repair shop's hourly rate is arbitrary if such rate does not result in a higher overall cost of repairs. The insurer shall make an appropriate notation in its claim file setting forth the reason it has rejected a claimant's request.
- (8) Deductions for betterment and depreciation are permitted only for parts normally subject to repair and replacement during the useful life of the insured motor



vehicle. Deductions for betterment and depreciation shall be limited to the lesser of an amount equal to the proportion that the expired life of the part to be repaired or replaced bears to the normal useful life of that part, or the amount which the resale value of the vehicle is increased by the repair or replacement. Calculations for betterment, depreciation, and normal useful life must be included in the insurer's claim file.

NEW SECTION

WAC 284-30-400 ENFORCEMENT. Violations of the standards imposed by WAC 284-30-330 through 284-30-390 shall be subject to the enforcement provisions set forth in RCW 48.30.010 and shall also constitute a failure to comply with a regulation pursuant to RCW 48.05.140(1).

NEW SECTION

WAC 284-30-410 EFFECTIVE DATE. This regulation, WAC 284-30-300 through 284-30-410, shall take effect September 1, 1978.

WSR 78-08-083 PROPOSED RULES DEPARTMENT OF PERSONNEL

[Filed July 28, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 41.06.040, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd WAC 356-18-140 Leave without pay.

Amd WAC 356-18-220 Leave—Extension of anniversary date—
Periodic increment date—Effect—
Exceptions.

New WAC 356-30-015 Appointments—Prohibition of multiple appointments to single position—
Exceptions.

Amd WAC 356-30-070 Appointments—Acting.

Amd WAC 356-30-143 Interpovernmental mobility

Amd WAC 356-30-143 Intergovernmental mobility.

Amd WAC 356-30-210 Transfer-Between agencies-Restrictions.

Amd WAC 356-34-170 Filing of papers with the state personnel board.

Amd WAC 356-46-010 Political activity—Regulations. Amd WAC 356-46-020 Discrimination—Prohibitions.

Amd WAC 356-46-020 Discrimination---Prohibitions.

Amd WAC 356-46-030 Disclosure of political, religious affilia-

tions—Prohibited;
that such agency will at 10:00 a.m., Thursday, Sep-

that such agency will at 10:00 a.m., Thursday, September 14, 1978, in the Board Meeting Room, 600 South Franklin, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, September 14, 1978, in the Board Meeting Room, 600 South Franklin, Olympia, WA.

The authority under which these rules are proposed is RCW 41.06.040 and 41.06.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 12, 1978, and/or orally at

10:00 a.m., Thursday, September 14, 1978, Board Meeting Room, 600 South Franklin, Olympia, WA.

Dated: July 28, 1978
By: Leonard Nord
Secretary

AMENDATORY SECTION (Amending Order 99, filed 2/24/77)

WAC 356-18-140 LEAVE WITHOUT PAY. (1) Leave without pay may be allowed by the appointing authority when such leave will not operate to the detriment of the State service.

- (2) Leave without pay may be authorized for any reasons applicable to:
 - (a) Leave with pay.
 - (b) Educational leave.
- (c) Newborn or adoptive child care leave as provided in WAC 356-18-150.
- (d) Military and U.S. Public Health Service and Peace Corps leave.

(e) Specific leaves granted for government service in the public interest upon specific request of an employee, concurred in by the appointing authority and approved by the Director of Personnel.

(3) Leave of absence without pay shall not be allowed to an extent aggregating more than 12 months in any consecutive period of five years, except for leaves of absence for military, U.S. Public Health Service, Peace Corps, authorized government leave of no more than two years' duration, for employees receiving time loss compensation or for leaves under provisions of WAC ((356-18-140)) 356-39-120.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-18-220 LEAVE--EXTENSION OF ANNIVER-PERIODIC INCREMENT DATE-EF-SARY DATE -EXCEPTIONS. When an employee is on leave of absence FECTwithout pay for any period in excess of 15 consecutive calendar days, except military and U.S. Public Health Service leave, State service in an exempt position, or from government service which had Director of Personnel approval or on leave following injuries sustained while performing the State-position duties((;)), the anniversary date and periodic increment date of such employees shall be moved forward in amount equal to the entire duration of that leave of absence. A leave of absence without pay of 15 calendar days or less will not affect the anniversary date. Agency directors may also request the periodic increment date and anniversary date be continued if the leave of absence was an educational leave of absence in accordance with the provisions of WAC $((\frac{356-38-140}{2}))$ $\frac{356-39-120}{2}$. When an employee is in a position assigned to a program or facility whose primary purpose is academic and/or vocational education, and the program or facility follows the customary public school practice of less than a 12-month school year, the employing agency may place the employee on ((a)) leave without pay while the program or facility is closed for customary school vacations without adjusting the employee's anniversary and periodic increment dates.

NEW SECTION

WAC 356-30-015 APPOINTMENTS—PROHIBITION OF MULTIPLE APPOINTMENTS TO SINGLE POSITION—EXCEPTIONS. Appointments to positions within the classified service shall be restricted to one person per position. Exceptions will be permitted only for a reasonable training period, tandem or part-time employment where the total FTE's for all persons in the position(s) does not exceed one FTE per position. Also excepted are periods of approved leave of absence as permitted by these rules. Any exceptions not permitted by this section must be approved in advance by the Director of Personnel, or designee.

AMENDATORY SECTION (Amending Order 56, filed 6/25/73)

WAC 356-30-070 APPOINTMENTS—ACTING. (1) An acting appointment is an appointment of a temporary nature made from within the service to a supervisory or managerial position.

(2) Acting appointments must be approved in advance by the Director of Personnel and shall not exceed six months; however, in the event of pending major organizational changes affecting the position, the Director of Personnel may approve requests for month to month extensions for a period not to exceed 30 days beyond the date of the appointment of a permanent incumbent to that position.

(3) Appointment shall be from among those employees interested and available to accept such an appointment ((regardless of minimum requirements. Primary consideration should, however, be given to eligibles on the agency promotional register for the class or for a related class as determined by the Director and the agency.)) in the following order:

(a) Agency promotional register for the class;

(b) Agency promotional register for a related class (the Director of Personnel in consultation with the agency shall make the determination as to what constitutes a related class);

(c) Other interested and available employees.

(4) An employee accepting an acting appointment shall be paid according to the rule regarding promotion.

(5) An employee shall not achieve permanent status in the higher class and upon termination of the acting appointment shall resume his/her permanent position and salary including increments which may have accrued.

AMENDATORY SECTION (Amending Order 120, filed May 12, 1978)

WAC 356-30-143 INTERGOVERNMENTAL MOBILITY. In accordance with the intent of the Intergovernmental Personnel Act (P.L. 91-648) regarding mobility assignments and/or notwithstanding any other provisions of these rules, the Director of Personnel or designee may authorize((, with subsequent approval of the Personnel Board,)) appointments into the classified service from other governmental units when such appointments are for purposes of cross-training or sharing of expertise across governmental boundaries. Such appointments shall be time limited.

AMENDATORY SECTION (Amending Order 53, filed 1/15/73)

WAC 356-30-210 TRANSFER—BETWEEN AGENCIES—RESTRICTIONS. The ((#))transfer of a permanent employee ((within class)) between agencies, within class or between classes (subject to the limitations of 356-30-200), may be made at any time with the approval of the appointing authorities concerned, provided employees who have been separated due to reduction—in—force and employees who have been notified that they are scheduled for reduction—in—force have first been offered the transfer in accordance with their seniority. Report of the transfer shall be made to the Director of Personnel. Employees who transfer under the provisions of this section shall not serve a trial service period and shall be permanent employees of the gaining agency. For purposes of this section, each institution and branch office may be considered an agency.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-34-170 FILING OF PAPERS WITH THE STATE PERSONNEL BOARD. Papers required to be filed with the State Personnel Board shall not be deemed filed until actual receipt of the papers by the Personnel Board ((at its headquarters)) at the office of the Director of Personnel of the Director of Personnel Dipmpia, Washington. ((All papers shall be filed at the office of the Director of Personnel.)) The Director of Personnel or designee shall issue ((a receipt)) an acknowledgement stating the date ((and time)) filed.

AMENDATORY SECTION (Amending Order 75, filed 3/24/75)

WAC 356-46-010 POLITICAL ACTIVITY—REGULATIONS. (1) Solicitation for or payment to any partisan, political organization((;)) or for any partisan, political purpose((;-or)) of any compulsory assessment or involuntary contribution is prohibited: provided, however, that officers of employee organizations shall not be prohibited from soliciting dues or contributions from members of their organization. No person shall solicit on State property any contribution to be used for partisan, political purposes.

(2) Employees shall have the right to vote and to express their opinions on all political subjects and candidates and to hold any political party office or participate in the management of a partisan, political campaign. Nothing in this section shall prohibit an employee from participating fully in campaigns relating to constitutional amendments, referendums, initiatives, and issues of a similar character, and for non-partisan offices.

(3) A classified civil service employee shall not hold a part-time public office in a political sub-division of the State when the holding of such office is incompatible with, or substantially interferes with, the

discharge of official duties in State employment as determined by the appointing authority.

(4) The rules and regulations of the United States Civil Service Commission which pertain to political activities may apply to some employees. Persons engaged in federal loans or grants-in-aid programs should inquire about their own situations and contemplated activities.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-46-020 DISCRIMINATION—PROHIBITIONS. No discrimination shall be exercised, threatened, or promised by any person in the employ of the agency or the State Personnel Board against or in favor of any applicant, eligible, or employee because of political or religious opinions or affiliations, or race, sex, or age.

AMENDATORY SECTION (Amending Order 121, filed 6/12/78)

WAC 356-46-030 DISCLOSURE OF POLITICAL, RELI-GIOUS AFFILIATIONS—PROHIBITED. No recommendation of any applicant, eligible or employee involving a disclosure of political or religious opinions or affiliations shall be considered or filed by the agencies, the <u>State Personnel</u> Board or any office or employee concerned in making appointments or promotions.

WSR 78-08-084

ADOPTED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance) [Order 1321—Filed July 28, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to AFDC and GAU—Eligibility—Standards of assistance, amending chapter 388-29 WAC.

This action is taken pursuant to Notice No. WSR 78-06-046 filed with the code reviser on 5/23/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule—making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 19, 1978.

By David Hogan Executive Assistant

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-100 MONTHLY STANDARDS FOR BASIC REQUIREMENTS—AFDC AND CONTINUING GENERAL ASSISTANCE. (1) The state-wide monthly standards for food, clothing, personal maintenance and necessary incidentals, household maintenance and shelter for those owning (including life estate), buying or renting an apartment or house shall be:

Recipients in Household	State Standard	Area Differential for King, Pierce, Snohomish and Thurston Counties	State Standard Plus Area Differential for King, Pierce, Snohomish and Thurston Counties
1	\$((190)) 200	\$((11)) 12	\$((201)) 212
2	((263)) 277	((29)) 31	((292)) 308
3	((330)) 348	$((\frac{25)}{27})$	((355)) 375
4	((391))	((25))	((416)) 439
5	((452)) 476	((25)) 27	((477)) 503
6	((513))	((25))	((538))
7	540 ((574))	((25))	((599))
8	((635))	((25))	((660))
9	((696))	((25))	((721))
10	<u>732</u> ((757)) 796	((25)) 27	759 ((782)) 823
11	((818))	((25))	((843))
12	((879))	((25))	((904))
13	924 ((940))	((25))	9 <u>51</u> ((965))
14	988 ((1001))	((25))	<u>1015</u> ((1026))
15	<u>1052</u> ((1062)) 1116	((25)) 27	1079 ((1087)) 1143
16	((1123)) 1180	((25)) 27	((1148)) 1207
17	((1184)) 1244	((25)) 27	((1209)) 1271
18 or	<u></u>	==	
more	((1245)) <u>1308</u>	((25)) <u>27</u>	((1270)) <u>1335</u>
(0) D.1.4	_ 4		

- (2) Deleted
- (3) Household with supplied shelter.

The monthly standard for supplied shelter includes requirements for food, clothing, personal maintenance and necessary incidentals, and household maintenance.

Recipients in household-all counties

1 2	\$((123)) <u>130</u> ((179)) <u>189</u>
3	$((\frac{238}{238}))$ $\frac{251}{251}$
4	$((\frac{297}{297})) \frac{251}{313}$
5	$((\frac{257}{357}))\frac{313}{377}$
6	$((415)) \frac{577}{438}$
7	$((472))\frac{498}{498}$
8	$((\frac{531}{531})) \frac{560}{560}$
9	((589)) 621
10	$((646)) \frac{621}{682}$
11	((705)) 744
12	$((764)) \frac{1}{806}$
13	((823)) 868
14	$((881)) \frac{300}{929}$
15	$((939)) \frac{525}{991}$
16	$((999)) \frac{105}{1054}$
17	$((\frac{1056}{1114}))$
18 or	((.000)) 1111
more	((1115)) 1176
	((//



AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-110 MAXIMUMS TO MONTHLY STANDARDS FOR BASIC REQUIREMENTS. Grants to families of 7 or more shall not exceed the following maximums. In computing the grant amount non-exempt income and resources which are available to meet need shall be deducted from the monthly standard specified in WAC ((388-28-100)) 388-29-100.

		Number of recipients in household				
	7	8	9	10	11	12
Maxi	mum					
	((\$598	\$631	\$662	- \$691 -	\$718	- \$743))
	`` \$ 631	\$664	\$695	\$724	\$ 751	\$776
	13	14	15	16	17	18
Maxi	mum					
	((\$766-	\$787	\$806	\$823	\$838	\$851))
	\$799	\$820	\$839	\$856	\$871	\$884

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-135 COST STANDARDS FOR REQUIREMENTS—MATERNITY HOME CARE. (1) The payment standard for a recipient of AFDC residing in a maternity home shall be \$((404.70)) 426.45 per month, including \$((27.45)) 28.95 clothing and personal incidentals.

(2) The standard for maternity home care for an unmarried child eligible for foster care payment shall be the rate established in the agreement between the department and the maternity home agency.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-160 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIC CIRCUMSTANCES—RESTAURANT MEALS. (1) Restaurant meals shall be an additional requirement only when:

(a) the individual is physically or mentally unable to prepare any of his meals, and

(b) board, or board and room, is not available or the use of such facilities is not feasible for an individual.

(2) The monthly additional requirement for restaurant meals shall be ((62.35)) 65.80.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-170 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—DAILY RESTAURANT MEALS. (1) The standard for emergency restaurant meals shall be \$((3.30)) 3.50 per day.

(2) The daily restaurant meal standard shall be used only when such assistance is required pending full determination of eligibility, or for temporary assistance of a week or less. The emergency standard shall be used not to exceed one week within a thirty-day period. When need for restaurant meals continues beyond one week, the standard in WAC 388-29-160 shall be used.

(3) The emergency restaurant meal allowance is a subsistence standard and does not provide adequate nutrition for a prolonged period.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-200 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—FOOD FOR GUIDE DOG. The cost of food for a guide dog shall be an additional requirement when an applicant for SSI or an assistance grant has a guide dog assigned to him by an accredited guide dog organization. The cost standard for food for a guide dog shall be \$((20.05)) 21.15.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-220 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—LAUNDRY. (1) Laundry is an additional requirement when:

- (a) The applicant or recipient is physically unable to do his laundry, and
- (b) He has no one able to perform this service for him.
- (2) The monthly cost standard for laundry shall be \$((5.45)) 5.75.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-260 REQUIREMENTS OF PERSON IN BOARDING HOME—CONTINUING GENERAL ASSISTANCE. (1) The standard for board and room shall be \$((137.90)) 145.50 per month or \$((4.53)) 4.78 per day.

(2) The monthly standard for clothing and person maintenance and necessary incidentals shall be \$25.00.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-280 ADULT FAMILY HOME CARE—COST STANDARDS. (((+++))) The monthly cost standards for the grant requirements of an adult receiving approved care in an adult family home are:

(((a))) (1) \$((241.85)) 255.15 a month for room, board, laundry, personal and social care and nursing care as appropriate or required, or

(((b))) (2) \$((211.70)) 223.35 a month for room, board, laundry, personal and social care and necessary supervision, and

(((c))) (3) \$25 for clothing and personal maintenance and necessary incidentals.

WSR 78-08-085 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Health)

[Filed July 28, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning advanced life support technician rules and regulations, new chapter 248-15 WAC.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant Department of Social and Health Services Mail Stop OB-44 C Olympia, WA 98504;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, August 9, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 18.71.205.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-06-132 filed with the code reviser's office on 6/7/78.

Dated: July 26, 1978
By: David Hogan
Executive Assistant

WSR 78-08-086 ADOPTED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Order 1322—Filed July 28, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Rep ch. 248-136 WAC relating to methadone programs for opiate addiction.

Rep ch 275-14 WAC relating to certificate of approval to a drug treatment center.

New ch. 275-18 WAC relating to standards for certification of approval for drug treatment centers.

Amd ch. 275-25 WAC relating to county plans for mental health,

Amd ch. 275-25 WAC relating to county plans for mental health, drug abuse, developmental disabilities and alcoholism.

This action is taken pursuant to Notice No. WSR 78-06-009 filed with the code reviser on 5/9/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 69.54.040 which directs that the secretary of the Department of Social and Health Services has authority to implement the provisions of chapter 69.54 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

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APPROVED AND ADOPTED July 26, 1978.

By David Hogan Executive Assistant

Reviser's Note: The material contained in this filing will appear in a subsequent issue of the Register, as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

WSR 78-08-087 EMERGENCY RULES DEPARTMENT OF NATURAL RESOURCES

[Order 300—Filed July 30, 1978]

- I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule describing logging restrictions in Western Washington effective at midnight Sunday July 30, 1978 through midnight Wednesday August 2, 1978.
- I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included in the logging restrictions are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 30, 1978.

By Bert L. Cole Commissioner of Public Lands

NEW SECTION

WAC 332-26-503 LOGGING SHUTDOWN IN WESTERN WASHINGTON ON AREAS UNDER PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN THE OLYMPIC AREA. EFFECTIVE AT MIDNIGHT SUNDAY JULY 30, 1978, THROUGH MIDNIGHT WEDNESDAY AUGUST 2, 1978 THE SHUTDOWN SHALL BE IN FORCE IN ZONE 1 IN CLALLAM, JEFFERSON AND GRAYS HARBOR COUNTIES, IN ZONE 2 IN GRAYS HARBOR AND JEFFERSON COUNTIES, ZONE 3 IN CLALLAM COUNTY ALL IN THE OLYMPIC AREA.

DURING THE PERIOD OF SHUTDOWN ALL LOGGING, LAND CLEARING, MILLING, AND OTHER OPERATIONS THAT MAY CAUSE A FOREST FIRE TO START ARE TO BE SHUTDOWN ON ALL FOREST LANDS PROTECTED BY THE DEPARTMENT OF NATURAL RESOURCES IN THE ABOVE AREAS.

DURING THE SHUTDOWN PERIOD, ALL PERSONS ARE EXCLUDED FROM LOGGING OPERATING AREAS AND AREAS OF LOGGING SLASHINGS, EXCEPT THOSE PERSONS PRESENT IN THE INTEREST OF FIRE PROTECTION.

BURNING PERMITS IN BURNING PERMIT ZONES B AND C ARE CANCELLED IN THE ABOVE-NOTED SHUTDOWN ZONES.

WSR 78-08-088

THE EVERGREEN STATE COLLEGE [Order 78-2, Motion 78-26—Filed July 31, 1978]

Be it resolved by the board of trustees, of the Evergreen State College, acting at The Evergreen State College, that it does promulgate and adopt the annexed rules relating to parking—violation, penalty, impounding.

This action is taken pursuant to Notice No. WSR 78-06-113 filed with the code reviser on 6/6/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule—making authority of The Evergreen State College as authorized in RCW 28B.40.120(11).

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 13, 1978.

By Daniel J. Evans President

AMENDATORY SECTION (Amending Order 75-2, filed 8/12/75)

WAC 174-116-150 VIOLATION, PENALTY, IMPOUNDING. (1) Violators of these traffic regulations, other than parking regulations, will be notified by issuance of violation tickets. The college will not assess fines.

(2) Vehicles which violate the parking permit requirements of WAC 174-116-105 and those which park in no parking areas, marked service accesses, roadways, loading docks and brick-paved and other prohibited areas will be impounded in place on the second ((similar)) violation within the academic quarter, provided, however, that during the first week of each Fall Quarter, no vehicle will be impounded for lack of a valid parking permit.

Upon impoundment in place, an impound device shall be attached and an "Impound Notice," will be placed on the violating vehicle instructing the driver to pay a \$5.00

service fee to the Security Office for removal of the impound device; upon receipt of the service fee the Security Office will remove the impound device.

If a vehicle impounded in place by means of an impound device remains so impounded for a period of five continuous days, it shall be towed away without notice by a commercial towing company and impounded at a location approved by the Security Chief at the risk and expense of the vehicle's owner.

- (3) Vehicles which have been impounded in place and escape the impound through means other than release by the Security Office will not be impounded in place again, but will, upon repeated violation, be towed away without notice by a commercial towing company and impounded at a location approved by the Security Chief at the risk and expense of the vehicle's owner.
- (4) Anything in paragraph (2), above, to the contrary notwithstanding vehicles parked in marked fire lanes will be towed away without notice by a commercial towing company and impounded at a location approved by the Security Chief at the risk and expense of the vehicle's owner.
- (5) Disabled or inoperable vehicles will be considered abandoned in accordance with RCW 46.52.102 and impounded after 24 hours.
- (6) In all cases, the violation record kept in the Security Office will be considered the final and binding record of past violations and impounds.
- (7) A vehicle will be considered under impound at the time it is so ordered by a Security Officer.

WSR 78-08-089
ADOPTED RULES
HORSE RACING COMMISSION
[Order 78-2—Filed July 31, 1978]

Be it resolved by the Washington Horse Racing Commission, acting at Sea Tac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA 98188, that it does promulgate and adopt the annexed rules relating to performance records, amending WAC 260-40-100.

This action is taken pursuant to Notice No. WSR 78-06-092 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 67.16.020 which directs that the Washington Horse Racing Commission prepare and promulgate a complete set of rules and regulations to govern race meets in this state.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW)

APPROVED AND ADOPTED July 14, 1978.

By James K. Bender Chairman AMENDATORY SECTION (Amending Order 74.2, filed 10/30/74)

WAC 260-40-100 PERFORMANCE RECORDS. (1) A horse which during the past calendar year, has started in a race which is not reported in the Daily Racing Form Monthly Chart Book shall not be entered at a Washington track unless and until the owner shall have furnished to the racing secretary, at least ((48)) forty-eight hours prior to such entry, performance records as hereinafter designated. Such performance records shall show where and when said horse raced; the distance; the weight carried; amount earned; said horse's finishing position and time. Such performance records furnished to the racing secretary shall be signed and sworn to by the owner of the horse.

- (2) In a maiden race, a horse which at any time, has started in a race which is not reported in Daily Racing Form Monthly Chart Book shall not be entered at a Washington track unless and until the owners shall have furnished to the racing secretary at least ((48)) forty-eight hours prior to such entry, complete performance records hereinafter designated. Such performance of said horse; where and when said horse raced; the distance; the weight carried; amount earned; said horse's finishing position and time. Such performance records furnished to the racing secretary shall be signed and sworn to by the owner of the horse.
- (3) No horse may be permitted to enter in a race whose recent workouts have not been properly recorded with the stewards.
- (4) If the net value to the winner of a race run in the state of Washington is nine hundred dollars or less, said winnings shall not be counted in considering eligibility of horses running at Longacres, if the net value to the winner of a race run in the state of Washington is four hundred dollars or less, said winnings shall not be counted in considering eligibility of horses running at Playfair and Yakima Meadows; however, the maiden allowance shall be lost by the winning of any race at a track whose complete official results are carried in the Daily Racing Form, Morning Telegraph, Quarter Running Horse Chart Book or Appaloosa Horse Club Charts. Furthermore, for any race to count against a horse's eligibility at Longacres, Playfair or Yakima Meadows the complete results of that race must be carried in the Daily Racing Form, Morning Telegraph, Quarter Running Horse Chart Book or Appaloosa Horse

All wins, regardless of the net value to the winner, shall be considered in eligibility requirements in all races, including maiden races at all tracks other than Longacres, Playfair and Yakima Meadows.

WSR 78-08-090 RULES OF COURT STATE SUPREME COURT [Order 25700-A-260]

IN THE MATTER OF THE ADOPTION OF AMENDMENTS TO JCR 55 AND 60.

No. 25700-A-260 ORDER The above Rules having been submitted to the Bench and Bar for comment, and the comments thereto having been reviewed by the Washington Judicial Council, and the Rules and comments thereto having been submitted to the Court, and the Court having considered the Rules as proposed by the Washington Judicial council and the comments thereto and having determined that they will substantially conform district court practice to that of the superior court, and having further determined that they will aid in the prompt and orderly administration of justice; Now, therefore, it is hereby

ORDERED:

- (1) That the amendments as attached hereto are adopted.
- (2) That the amendments will be published expeditiously in the Washington Reports and will become effective on September 1, 1978.

DATED at Olympia, Washington, this 20th day of July, 1978.

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RULE 55 DEFAULT

- (a) Judgment. When the defendant fails to appear and plead before or at the time specified in the notice, or within 1 hour thereafter, or upon continuance, or for trial, judgment shall be given on motion of the plaintiff, if the motion includes a statement of the basis for venue in the action and it does not clearly appear to the court from the papers on file that venue is improper, as follows: When the defendant has been served with a true copy of the complaint, judgment shall be given upon proof satisfactory to the court. In those cases where interest and attorney fees are claimed by virtue of a written instrument, a copy of said instrument shall be filed and the court shall set a reasonble attorney fee. The court shall notify the defendant of the entry of a default judgment by mailing a copy of the order and judgment to the defendant at his last known address within 5 days after entry of the judgment.
 - (b) Setting Aside Default.
- (1) For good cause shown and upon such terms as the court deems just, the court may set aside an entry of default and, if a judgment by default has been entered, may likewise set it aside in accordance with Rule 60(b). No court shall issue a transcript or pay out or turn over money or property received by the court by virtue of any default judgment until the expiration of 20 days from entry of the judgment.

- (2) Nothing herein contained shall limit the power of the court to set aside a judgment, at any time, where the court lacked jurisdiction to enter the judgment.
- (c) Plaintiffs, Counterclaimants, Cross Claimants. The provisions of this rule apply whether the party entitled to the judgment by default is a plaintiff, a third-party plaintiff, or a party who has pleaded a cross claim or counterclaim.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

RULE 60

RELIEF FROM JUDGMENT OR ORDER

- (a) Clerical mistakes in judgments, orders, or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time of its own initiative or on the motion of any party and after such notice, if any, as the court orders.
- (b) Mistakes; Inadvertence; Excusable Neglect; Newly Discovered Evidence; Fraud; etc. On motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgment, order, or proceeding for the following reasons:
- (1) Mistakes, inadvertence, surprise, excusable neglect or irregularity in obtaining a judgment or order;
- (2) For erroneous proceedings against a minor or person of unsound mind, when the condition of such defendant does not appear in the record, nor the error in the proceedings;
- (3) Venue is improper and the judgment or order has been entered by default;
- (4) Fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party;
 - (5) The judgment is void;
- (6) The judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated;
- (7) If the defendant was served by publication, relief may be granted as prescribed in RCW 4.28.200;
- (8) Death of one of the parties before the judgment in the action;
- (9) Unavoidable casualty or misfortune preventing the party from prosecuting or defending;
- (10) Error in judgment shown by a minor, within 12 months after arriving at full age; or
- (11) Any other reason justifying relief from the operation of the judgment.
- (c) The motion shall be made within a reasonable time and for reasons (1), (2), or (3) of section (b) not more than 1 year after the judgment, order, or proceeding was entered or taken. If the party entitled to relief is a minor or a person of unsound mind, the motion shall be made within 1 year after the disability ceases. A motion under section (b) does not affect the finality of the judgment or suspend its operation.

WSR 78-08-091 RULES OF COURT STATE SUPREME COURT [Order 25700-A-261]

IN THE MATTER OF THE ADOPTION NO. 25700-A-261 OF AMENDMENTS TO CR 56(e) ORDER

The Court having considered amendments to CR 56(e) as proposed by the Washington Judicial Council, and having determined that the proposed amendments will bring the Rule into conformity with the corresponding federal rule, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice; Now, therefore, it is hereby ORDERED:

- (1) That the amendments as attached hereto are adopted.
- (2) That the amendments will be published expeditiously in the Washington Reports and will become effective on September 1, 1978.

DATED at Olympia, Washington, this 20th day of July, 1978.

	Charles T. Wright		
Hugh J. Rosellini	Robert F. Brachtenbach		
Orris L. Hamilton	Charles Horowitz		
Charles F. Stafford	James M. Dolliver		
Robert F. Utter	Floyd V. Hicks		

CR 56(e)

(e) Form of Affidavits; Further Testimony; Defense Required. Supporting and opposing affidavits shall be made on personal knowledge, shall set forth such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated therein. Sworn or certified copies of all papers or parts thereof referred to in an affidavit shall be attached thereto or served therewith. The court may permit affidavits to be supplemented or opposed by depositions, answers to interrogatories, or further affidavits. When a motion for summary judgment is made and supported as provided in this rule, an adverse party may not rest upon the mere allegations or denials of his pleading, but his response, by affidavits or as otherwise provided in this rule, must set forth specific facts showing that there is a genuine issue for trial. If he does not so respond, summary judgment, if appropriate, shall be entered against him.

WSR 78-08-092 RULES OF COURT STATE SUPREME COURT [Order 25700-A-262]

IN THE MATTER OF THE ADOPTION OF AMENDMENTS TO CR 3(a); 4(a), (b), (d)(1); 5(d); 82(b);

No. 25700-A-262 ORDER AND THE ADOPTION OF CR 4(j); CR 4.1 AND 55(a)(4).

The above Rules having been submitted to the Bench and Bar for comment; and the comments thereto having been reviewed by the Washington Judicial Council; and the Washington Judicial Council having made a number of revisions in response thereto and submitted same to the Court; and the Court having considered the Rules as proposed by the Washington Judicial Council and the comments thereto and determined that they will aid in the prompt and orderly administration of justice; Now, therefore, it is hereby

ORDERED:

- (1) That the amendments and additions as attached hereto are adopted.
- (2) That the amendments and additions will be published expeditiously in the Washington Reports and will become effective on September 1, 1978.

DATED at Olympia, Washington, this 20th day of July, 1978.

	Charles T. Wright
Hugh J. Rosellini	Robert F. Brachtenbach
Orris L. Hamilton	Charles Horowitz
Charles F. Stafford	James M. Dolliver
Robert F. Utter	Floyd V. Hicks

CR 3(a)

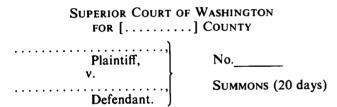
(a) Methods. Except as provided in Rule 4.1, a civil action is commenced by service of a copy of a summons together with a copy of a complaint, as provided in Rule 4 or by filing a complaint. Upon written demand by any other party, the plaintiff instituting the action shall pay the filing fee and file the summons and complaint within 14 days after service of the demand or the service shall be void. An action shall not be deemed commenced for the purpose of tolling any statute of limitations except as provided in RCW 4.16.170.

$$CR 4(-), (a), (b)$$

- (-) [Deleted.]
- (a) Summons; Issuance.
- (1) The summons must be signed and dated by the plaintiff or his attorney, and directed to the defendant requiring him to defend the action and to serve a copy of his appearance or defense on the person whose name is signed on the summons.
- (2) Unless a statute or rule provides for a different time requirement, the summons shall require the defendant to serve a copy of his defense within 20 days after the service of summons, exclusive of the day of service. If a statute or rule other than this rule provides for a different time to serve a defense, that time shall be stated in the summons.
- (3) A notice of appearance, if made, shall be in writing, shall be signed by the defendant or his attorney, and

shall be served upon the person whose name is signed on the summons. In condemnation cases a notice of appearance only shall be served on the person whose name is signed on the petition.

- (4) No summons is necessary for a counterclaim or cross claim for any person who previously has been made a party. Counterclaims and cross claims against an existing party may be served as provided in Rule 5.
 - (b) Summons.
- (1) Contents. The summons for personal service shall contain:
- (i) The title of the cause, specifying the name of the court in which the action is brought, the name of the county designated by the plaintiff as the place of trial, and the names of the parties to the action, plaintiff and defendant
- (ii) A direction to the defendant summoning him to serve a copy of his defense within a time stated in the summons.
- (iii) A notice that, in case of failure so to do, judgment will be rendered against him by default. It shall be signed and dated by the plaintiff, or his attorney, with the addition of his post office address, at which the papers in the action may be served on him by mail.
- (2) Form. Except in condemnation cases the summons for personal service in the state shall be substantially in the following form:



A lawsuit has been started against you in the above entitled court by, plaintiff. Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the undersigned attorney for the plaintiff within 20 days after the service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where plaintiff is entitled to what he asks for because you have not responded. If you serve a notice of appearance on the undersigned attorney, you are entitled to notice before a default judgment may be entered.

You may demand that the plaintiff file this lawsuit with the court. If you do so, the demand must be in writing and must be served upon the plaintiff. Within 14 days after you serve the demand, the plaintiff must file this lawsuit with the court, or the service on you of this summons and complaint will be void.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time.

This summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the State of Washington.

	[signed] Plaintiff's Attorney
	P. O. Address
Dated	.Telephone Number

$CR \ 4(d)(1)$

(1) Of Summons and Complaint. The summons and complaint shall be served together.

CR 5(d)(1)-(3)

- (1) Time. Complaints shall be filed as provided in Rule 3(a). All pleadings and other papers after the complaint required to be served upon a party shall be filed with the court either before service or promptly thereafter.
- (2) Sanctions. The effect of failing to file a complaint is governed by Rule 3. If a party fails to file any other pleading or paper under this rule, the court upon 5 days' notice of motion for sanctions may dismiss the action or strike the pleading or other paper and grant judgment against the defaulting party for costs and terms including a reasonable attorney fee unless good cause is shown for, or justice requires, the granting of an extension of time.
- (3) Limitation. No sanction shall be imposed if prior to the hearing the pleading or paper other than the complaint is filed and the moving attorney is notified of the filing before he leaves his office for the hearing.

CR 82(b)

- (b) Default.
- (1) If an action is brought in the wrong county, the action may nevertheless be tried therein unless the defendant, pursuant to the provisions of Rule 12, requests that the trial be held in the proper county and files an affidavit of merits.
- (2) No order of default shall be entered if it clearly appears to the court from the papers on file that the action was brought in an improper county.

CR 4(i)

(j) Other Process. These rules do not exclude the use of other forms of process authorized by law.

RULE 4.1

PROCESS—DOMESTIC RELATIONS ACTIONS

- (a) Summons—General. Actions authorized by RCW 26.09 shall be commenced by filing a petition. Service of the summons and a copy of the petition shall be made on respondent as provided in Rule 4.
 - (b) Summons—Content, Form.
- (1) Content. The summons shall contain the title of the action, the name of the county and the court in which the action is brought, the names of the parties, as petitioner and respondent, a direction to the respondent to serve a copy of his response on the person who has

signed the summons, the time limit within which the copy of the response must be served, notice that failure to serve a copy of the response within the stated time may result in a judgment by default, the signature and address of the petitioner or his attorney, and the date.

(2) Form. The summons in an action for dissolution of marriage shall be substantially in the following form. The summons in any other action authorized by RCW 26.09 should be adapted from this form.

SUPERIOR COURT OF WASHINGTON FOR [.....] COUNTY

In the Matter of the Marriage of	No
Petitioner, and	Summons for
Respondent.	Dissolution of Marriage

TO THE RESPONDENT: The petitioner has filed with the clerk of the above court a petition requesting that your marriage be dissolved. Additional requests, if any, are stated in the petition, a copy of which is attached to this summons.

You may respond to this summons and petition by serving a written answer on the person signing this summons. If you do not serve your written answer within 20 days after the date this summons was served on you, exclusive of the day of service, or within 60 days if this summons was served outside the state of Washington, or within 60 days after the date of the first publication of this summons, the court may enter an order of default against you, and at the end of 90 days after service, the court may, without further notice to you, enter a decree dissolving your marriage and approving or providing for other relief requested in the petition.

Dated	Signature	
Dated		
	Address	

CR 55(a)(4)

(4) Venue. A motion for default shall include a statement of the basis for venue in the action. A default shall not be entered if it clearly appears to the court from the papers on file that the action was brought in an improper county.

WSR 78-08-093 EMERGENCY RULES DEPARTMENT OF FISHERIES [Order 78-52—Filed July 31, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations. I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is chinook salmon and sturgeon in the Columbia River are of sufficient stocks to allow a commercial fishery pursuant to regulations passed by the Columbia River compact.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 31, 1978.

By Gordon Sandison Director

NEW SECTION

WAC 220-32-03000H AREAS & SEASONS - COLUMBIA RIVER Notwithstanding the provisions of WAC 220-32-030, WAC 220-32-031 and WAC 220-32-032, it shall be unlawful to take, fish for or possess salmon taken with gillnet gear for commercial purposes, in Columbia River Management and Catch Reporting Areas 1A, 1B, 1C, 1D and 1E, except during the following seasons and with the following mesh sizes:

- (a) 6:00 p.m. August 15 to 6:00 p.m. August 18, 1978.
- (b) 6:00 p.m. August 20 to 6:00 p.m. August 21, 1978.
 - (c) 8 inch minimum mesh size.

NEW SECTION

WAC 220-32-04000D STURGEON - SETLINE Notwithstanding the provisions of WAC 220-32-040, it shall be unlawful to take, fish for or possess sturgeon for commercial purposes with setline gear in Columbia River Salmon Management and Catch Reporting Areas 1A, 1C, 1D, that portion of 1B south of a line projected from Grays Point light to Harrington Point, and that portion of Area 1E downstream of a line projected due north from the mouth of Oneonta Creek on the Oregon side to a deadline marker on the Washington shore except at those times, with the gear and provisions designated below:

12 noon August 1 until 12 noon October 31, 1978.

Setline gear will be limited to 3 lines with not more than 500 hooks per line.

Buoys must be marked on each end with the fishing license number.

Washington licensed setline fishermen must register with the Vancouver Fisheries office before fishing.

NEW SECTION

WAC 220-32-05100F AREAS AND SEASONS - COLUMBIA RIVER Notwithstanding the provisions of WAC 220-32-051, WAC 220-32-052 and WAC 220-32-053, it shall be unlawful to take, fish for or possess salmon for commercial purposes in Columbia River Management and Catch Reporting Areas 1F, 1G and 1H, except those individuals possessing treaty fishing rights pursuant to the Yakima, Warm Springs, Umatilla and Nez Perce treaties may fish during the following seasons and with the following mesh sizes:

- (a) 12:00 noon August 25 to 12:00 noon September 5, 1978.
- (b) 12:00 noon September 8 to 12:00 noon September 12, 1978.
- (c) 12:00 noon September 15 to 12:00 noon September 19, 1978.
- (d) 12:00 noon September 22 to 12:00 noon September 26, 1978.
- (e) 12:00 noon September 29 to 12:00 noon October 3, 1978.
 - (f) 8 inch minimum mesh size.

WSR 78-08-094

ADOPTED RULES

DEPARTMENT OF GAME
[Order 118—Filed July 31, 1978]

Be it resolved by the Game Commission, State of Washington, acting at Tacoma, Washington, that it does promulgate and adopt the annexed rules relating to the 1978 Upland Migratory Game Bird Seasons, WAC 232-28-101.

This action is taken pursuant to Notice No. WSR 78-05-104 filed with the Code Reviser on May 3, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rulemaking authority of the Game Commission as authorized in RCW 77.12.040.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW) or the Administrative Procedure Act (chapter 34.04 RCW) as appropriate, and the State Register Act (chapter 34.08 RCW).

This order, after being first recorded in the Order Register of this governing body, shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED July 5, 1978.

By Ralph W. Larson Director

NEW SECTION

WAC 232-28-101 1978 UPLAND MIGRATORY GAME BIRD SEASONS.

-Statewide-

MOURNING DOVE:

September 1 - September 30, inclusive Daily bag limit: 10; Possession limit: 20

BAND-TAILED PIGEON:

September 1 – September 30, inclusive Daily bag limit: 5; Possession limit: 5

SHOOTING HOURS as follows: (Daylight Saving Time)

	Eastern Washington		Western Washington	
JSIVE	From A.M.	To <u>P.M.</u>	From A.M.	To P. <u>M.</u>
Sun. Sept. 3	5:45	7:35	6:00	7:50
Sun. Sept. 10	5:55	7:25	6:05	7:40
Sun. Sept. 17	6:05	7:10	6:15	7:25
Sun. Sept. 24	6:10	7:00	6:25	7:10
Sat. Sept. 30	6:25	6:45	6:35	6:55
	Sun. Sept. 10 Sun. Sept. 17 Sun. Sept. 24	Washir From A.M. Sun. Sept. 3 5:45 Sun. Sept. 10 5:55 Sun. Sept. 17 6:05 Sun. Sept. 24 6:10	Washington From A.M. P.M. Sun. Sept. 3 5:45 7:35 Sun. Sept. 10 5:55 7:25 Sun. Sept. 17 6:05 7:10 Sun. Sept. 24 6:10 7:00	Washington Washington Washington From To A.M. P.M. A.M. Sun. Sept. 3 5:45 7:35 6:00 Sun. Sept. 10 5:55 7:25 6:05 Sun. Sept. 17 6:05 7:10 6:15 Sun. Sept. 24 6:10 7:00 6:25

REPEALER

The following section of the Washington Administrative Code is repealed:

(1) WAC 232-28-100 1977 Upland Migratory Game Bird Seasons.

WSR 78-08-095 EMERGENCY RULES DEPARTMENT OF GAME [Order 119—Filed July 31, 1978]

Be it resolved by the Game Commission, State of Washington, acting at Tacoma, Washington that it does promulgate and adopt the annexed rules relating to WAC 232-28-60000E, closing fishing date extension on Desire, Heart, McMurray and Morton Lakes.

We, the Game Commission, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Desire and Morton Lakes in King County and Heart and McMurray Lakes in Skagit County are scheduled for rehabilitation (destruction of all existing fish) prior to October 31, 1978. Therefore, closing the fishing seasons on these lakes would save no fish for future stocks. It is necessary to allow continued harvest of existing fish stocks to avoid waste. The necessity for extending the harvesting period is recognized as an emergency so as to avoid the aforementioned waste of fish that if not harvested would be destroyed in the rehabilitation. Such rules are therefore adopted as emergency rules to take effect upon filing with the Code Reviser.

This rule is promulgated under the general rulemaking authority of the Game Commission as authorized in RCW 77.12.040.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW) or the Administrative Procedure Act (chapter 34.04 RCW) as appropriate, and the State Register Act (chapter 34.08 RCW).

This order, after being first recorded in the Order Register of this governing body, shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED July 5, 1978.

by Ralph W. Larson Director

NEW SECTION

WAC 232-28-60000E. CLOSING FISHING DATE EXTENSION ON DESIRE, MORTON, HEART AND MCMURRAY LAKES. Notwithstanding the provisions of WAC 232-28-600, the closing dates on Desire, Morton (King County), Heart and McMurray (Skagit County) Lakes are hereby extended to October 31, 1978.

WSR 78-08-096 EMERGENCY RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Institutions)

[Order 1323—Filed August 1, 1978]

- I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to schedule of per capita cost, amending WAC 275-20-030.
- I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is failure to adopt on an emergency basis will result in a substantial loss of Medicaid revenue. If such funds are not received, the Division of Developmental Disabilities will experience a short-fall of appropriated funds necessitating program reductions.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 72.33.660 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 1, 1978.

By David Hogan Executive Assistant

AMENDATORY SECTION (Amending Order 1270, filed 2/17/78

WAC 275-20-030 SCHEDULE OF PER CAPITA COST. Resident charges will be collected on the basis of the following:

	Per Capita	Per Capita
	Monthly Rate	Daily Rate
Lakeland Village ((\$	- 1,049.38)) \$1187.77	((\$ 34.50)) \$39.05
Rainier School	$((\frac{1,052.11}{}))$ 1190.81	((34.59)) 39.15
Yakima Valley School	$((\frac{1,287.84}{}))$ 1457.57	$((42.34))$ $\overline{47.92}$
Fircrest School	$((\frac{1,741.96}{1971.61}))$	$((57.27))$ $\overline{64.82}$
Interlake School	((1,308.53)) 1480.99	$((43.02))$ $\overline{48.69}$
Frances Haddon Morgan	$((\frac{1,861.80}{2107.27}))$	((61.21)) 69.28
((School for Blind - residen	nt)) ((1,110.50))	((36.61))
((School for Deaf - residen	nt)) ((645.19))	((21.27))
School for Blind - nonresid	lent 1,480.99	48.69
School for Deaf - nonreside	ent 1,067.93	35.11

WSR 78-08-097 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Institutions)

[Filed August 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to schedule of per capita cost, amending WAC 275-20-030.

It is the intention of the Department to file these rules on an emergency basis on or about August 1, 1978.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan
Executive Assistant
Department of Social and Health Services
Mail Stop OB-44 C
Olympia, WA 98504;

that such agency will at 2:00 p.m., Monday, September 11, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto:

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 72.33.660.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 11, 1978, and/or orally at 2:00 p.m., Monday, September 11, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: August 1, 1978

By: David Hogan

Executive Assistant

Per Capita

AMENDATORY SECTION (Amending Order 1270, filed 2/17/78

WAC 275-20-030 SCHEDULE OF PER CAPITA COST. Resident charges will be collected on the basis of the following:

	r ci Capita	I Ci Capita
	Monthly Rate	Daily Rate
Lakeland Village	((5-1,049.38)) \$1187.77	((\$ 34:50)) \$39.05
Rainier School	((1,052.11)) 1190.81	((34.59)) 39.15
Yakima Valley School	((1,287.84)) 1457.57	((42.34)) 47.92
Fircrest School	((1,741.96)) 1971.61	((57.27)) 64.82
Interlake School	((1,308.53)) 1480.99	$((43.02))$ $\overline{48.69}$
Frances Haddon Morgan	((1.861.80)) 2107.27	((61.21)) 69.28
((School for Blind - resident))	((1,110.50))	((36.61))
((School for Deaf - resident))		((21.27))
School for Blind - nonresident		48.69
School for Deaf - nonresident		35.11

WSR 78-08-098 PROPOSED RULES DEPARTMENT OF FISHERIES [Filed August 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 75.08.080, that the Washington state Department of Fisheries, intends to adopt, amend, or repeal rules concerning commercial fishing regulations;

that such agency will at 10:00 a.m., Friday, September 8, 1978, in the Large Conference Room, General Administration Bldg., Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:30 a.m., Wednesday, September 13, 1978, in the Small Conference Room, General Administration Bldg., Olympia, WA.

The authority under which these rules are proposed is RCW 75.08.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 8, 1978, and/or orally at 10:00 a.m., Friday, September 8, 1978.

Dated: August 1, 1978

By: Gordon Sandison

Director

AMENDATORY SECTION (Amending Order 78-20, filed 4/27/78 and 5/4/78)

WAC 220-44-020 SEASONS. (1) It shall be unlawful to take, fish for or possess salmon taken for commercial purposes in that portion of Coastal Salmon Management and Catch((:)) Reporting Area 4 north of Point of the Arches and inside the 3-mile limit during weekly closed periods extending from 11:59 p.m. Friday to 12:01 a.m. Monday.

(2) It shall be unlawful to take, fish for or possess salmon taken for commercial purposes with purse seine, drag seine, or gill net gear from Coastal Salmon Management and Catch Reporting Areas 1, 2, 3 and 4

(3) It shall be unlawful to take, fish for or possess smelt taken for commercial purposes with purse seine, drag seine, or gill net gear from Marine Fish-Shellfish Management and Catch Reporting Areas 59, $60A((\frac{1}{17}))_1$ and that portion of area 58 within the United States 200 mile fishery conservation zone.

(4) It shall be lawful to take, fish for and possess smelt taken for commercial purposes by hand net gear in Marine Fish-Shellfish Management and Catch Reporting Areas 59 and 60A except during weekly closed periods extending from 8:00 a.m. Friday to 8:00 a.m. Sunday.

(5) It shall be lawful to take, fish for and possess for commercial purposes sturgeon, shad, ((herring,)) candlefish, anchovies and pilchards taken in (({Coastal})) Marine Fish-Shellfish Management and

Catch Reporting Areas 59, 60A, and that portion of area 58 within the United States 200 mile fishery conservation zone with any lawful commercial fishing gear.

(6) It shall be unlawful to take, fish for or possess herring for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A, and that portion of area 58 within the United States 200 mile fishery conservation zone with any type of gear.

(7) It shall be unlawful to transport through Coastal Salmon Management and Catch Reporting Areas 1, 2, 3, and 4 or to land in the state of Washington, any salmon taken for commercial purposes contrary to the provisions of chapter 220-47 WAC relative to seasons and species and as provided in WAC 220-24-020.

WSR 78-08-099 EMERGENCY RULES DEPARTMENT OF FISHERIES

[Order 78-53-Filed August 1, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is sturgeon in the Columbia River are of sufficient stocks to allow commercial fishing pursuant to regulations passed by the Columbia River Compact.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 1, 1978.

By Gordon Sandison Director

NEW SECTION

WAC 220-32-05700C SEASON - STURGEON Notwithstanding the provisions of WAC 220-32-057, it shall be unlawful to take, fish for, or possess sturgeon for commercial purposes in Columbia River Management and Catch Reporting Areas 1F, 1G, and 1H, except those individuals possessing treaty fishing rights pursuant to the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish 12:00 noon August 1 to 12:00 noon October 31, 1978. Setline gear shall be limited to no more than 1,500 hooks.

Fishermen must register with their respective tribes before participating in the fishery. The tribes shall provide these lists to the respective states.

REPEALER

Effective immediately, the following section of the Washington Administrative Code is hereby repealed:

WAC 220-32-05700B SEASON - STURGEON

WSR 78-08-100 PROPOSED RULES **BELLEVUE COMMUNITY COLLEGE**

[Filed August 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Community College District VIII intends to adopt, amend, or repeal rules concerning:

Repeal chapter 132H-104 WAC Bylaws and standing orders of

governing boards.

Adopt chapter 132H-105 WAC

Bylaws and standing orders of the board of trustees of Community College District VIII;

that such institution will at 1:30 p.m., Thursday, September 7, 1978, in the Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Thursday, September 7, 1978, in the Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA.

The authority under which these rules are proposed is RCW 28B.50.140.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to September 7, 1978, and/or orally at 1:30 p.m., Thursday, September 7, 1978, Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA.

> Dated: July 28, 1978 By: Thomas E. O'Connell Secretary

NEW SECTION

WAC 132H-105-010 INTRODUCTION. The Board of Trustees, under law, is charged with the responsibility of Community College District VIII. The authority is vested in the Board, not in its individual board members. To assist the Board in carrying out its responsibilities, an Executive Officer of Community College District VIII and President of Bellevue Community College shall be employed with the delegated responsibility for administering the policies of the District as approved by the Board.

Policies of the Board of Trustees are found in the records of Board action and in the Policies and Procedures Manual of which this document is a part. The bylaws which follow contain all of the rules adopted by the Board which are in force and which relate to the organization and powers of the Board and its method of conducting business.

NEW SECTION

WAC 132H-105-020 OFFICES OF THE BOARD OF TRUST-EES. The Board of Trustees shall maintain an office at Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, Washington 98007, where all regular meetings shall be held, unless otherwise announced, and all records, minutes, and the official college seal shall be kept. This office shall be open during all normal business hours to any resident taxpayer of the state of Washington.

Correspondence or other business for the Board shall be sent to the Secretary of the Board who is located in this office.

NEW SECTION

WAC 132H-105-030 MEETINGS OF THE BOARD OF TRUSTEES. The Board of Trustees of Community College District VIII will hold a regular meeting on the first Tuesday of each month. The meeting will begin at 12 noon in the Bellevue Campus Cafeteria, with a discussion of agenda items, and at 1:30 p.m. in the Board Room, Bellevue Campus, Bellevue, Washington, for a business session. (1) If that day is a legal holiday, the meeting will be held, if at all possible, on the second Tuesday of the month or soon thereafter or as otherwise announced.

(2) In the event the Board of Trustees of Community College District VIII is unable to meet on the regular meeting date, a special meeting may be scheduled and held, if at all possible, on the second Tuesday of the month or soon thereafter or as otherwise announced.

(3) In the event the Board of Trustees of Community College District VIII is unable to meet, the Chairman of the Board may order that no regular meeting of the Board of Trustees be held that month.

(4) The Board of Trustees shall hold at least two regular meetings each quarter and such other regular or special meetings as may be requested by the Chairman of the Board or by a majority of the members of the Board.

(5) All regular and special meetings of the Board of Trustees shall be open to the general public in accordance with RCW 42.30. (The Open Public Meeting Act).

(6) No official business shall be conducted by the Board of Trustees except during a regular or special meeting.

NEW SECTION

WAC 132H-105-040 INFORMATION FOR BOARD MEM-BERS. Information and materials pertinent to the agenda of all regular meetings of the Board should be sent to Trustees prior to each meeting. Any matters of business or correspondence should be made available to the Secretary of the Board by 12 noon, five days before the meeting in order to be included on the agenda. However, the Chairman or Secretary may present a matter of urgent business received too late for inclusion on the agenda if in his judgment the matter is of importance.

All materials to be considered by the Board must be submitted in sufficient quantities to provide each member of the Board and the Secretary with appropriate copies.

NEW SECTION

WAC 132H-105-050 EXECUTIVE SESSIONS. The Board of Trustees may convene in executive session whenever it is deemed necessary pursuant to RCW 42.30.110.

NEW SECTION

WAC 132H-105-060 ORDER OF THE AGENDA. The order of the agenda governing all regular meetings of the Board of Trustees of Community College District VIII shall be as follows: (1) Roll Call

(2) Approval of Previous Minutes

(3) Executive Session

(4) Recommendations for Action of the Board

(5) Reports to the Board

(6) Information Items

(7) Other Business

(8) Adjournment

The order of the agenda may be changed by the Chairman with the consent of a majority of the Board members present.

The Chairman shall announce at the beginning of each meeting that members of the audience may speak to any item on the agenda at the time of its presentation to the Board. The Chairman shall have the right to limit the length of time used by a speaker for the discussion of any subject. The Chairman shall determine whether or not an item is placed on the agenda. The Chairman shall have the right to limit the length of time used by a speaker for the discussion of a subject. The Chairman will notify all other Board members if he rejects an item suggested to be placed on the agenda. Reports to the Board will include provision for reports by students, faculty and classified employees.

NEW SECTION

WAC 132H-105-070 RECORDS OF BOARD MEETINGS. The minutes of all regular and special meetings, except executive sessions of the Board, shall be recorded and such records shall be open for public inspection.

NEW SECTION

WAC 132H-105-090 PARLIAMENTARY PROCEDURE. Three members of the Board of Trustees shall constitute a quorum and no action shall be taken by less than a majority of the Board Members.

Normally, voting shall be viva voce. However, a roll call vote may be requested by any member of the Board for purposes of the record.

In questions of parliamentary procedure, the actions of the Board shall be conducted according to Robert's Rules of Order unless specified otherwise by State Law or Regulation of the State Board.

NEW SECTION

WAC 132H-105-100 OFFICERS OF THE BOARD. At the meeting of the Board in April the Board shall elect from its membership a Chairman and Vice-Chairman to serve for the ensuing year. In addition, the President of Bellevue Community College or his designee shall serve as Secretary to the Board of Trustees as specified by State Law. (1) The Chairman, in addition to any duties imposed by rules and regulations of the State Board, shall preside at each regular or special meeting of the Board, and review the agenda prepared for each meeting of the Board. The Chairman shall, while presiding at official meetings, have full right of discussion and vote.

(2) The Vice-Chairman, in addition to any duties imposed by rules and regulations of the State Board, shall act as Chairman of the Board

in the absence of the Chairman.

(3) The Secretary of the Board or the President's designee shall serve as Chairman, without privilege of vote, in any official meeting of the Board conducted in the absence of the Chairman and Vice-Chairman. In addition to any duties imposed by rules and regulations of the State Board, the secretary shall keep the official seal of the Board, maintain all records of meetings and other official actions of the Board.

The Secretary or the President's designee shall also be responsible for Board correspondence, compiling the agenda of meetings, and distributing the minutes of the meetings and related reports.

The Secretary or the President's designee must attend all regular and special meetings of the Board and official minutes must be kept of all such meetings.

NEW SECTION

WAC 132H-105-110 RESTRICTIONS OF INDIVIDUAL AUTHORITY. Legal authority is vested in the Board of Trustees and may be exercised by formal action of the Board taken in regular or special meetings by the President or his designee pursuant to delegated authority. No individual member of the Board may act on behalf of the Board unless specifically instructed by action of the Board. Every member of the Board shall be under obligation to support the decision or policy of the majority and shall not publicly oppose such a decision or policy after it has been adopted by the majority.

NEW SECTION

WAC 132H-105-120 FISCAL YEAR OF THE BOARD OF TRUSTEES. The fiscal year of the Board shall conform to the fiscal year of the state of Washington and shall be from July 1 to June 30 inclusive.

NEW SECTION

WAC 132H-105-130 SEAL AND NAME OF THE COLLEGE. The Board of Trustees shall maintain an official seal for use upon any or all official documents of the Board. The seal shall have inscribed upon it the name of the college which shall be: Bellevue Community College

NEW SECTION

WAC 132H-105-140 DELEGATION OF RESPONSIBILITY. It shall be the responsibility of the Board of Trustees to establish policy and to evaluate the total college program. The Board of Trustees

shall appoint a College President to administer the College and shall delegate to him the authority and responsibility for implementation of Board policy.

NEW SECTION

WAC 132H-105-150 APPOINTING AUTHORITY. The Board of Trustees of Community College District VIII, pursuant to RCW 28B.10.528 and RCW 28B.50.140, delegates to the President of Bellevue Community College the appointing authority for all non-classified employees of the college.

NEW SECTION

WAC 132H-105-160 DELEGATION OF AUTHORITY FOR HIGHER EDUCATION PERSONNEL LAW - CLASSIFIED PERSONNEL. Be it resolved that the President or his designee, the Executive Assistant to the President and Director of Personnel, is hereby designated as the appointing authority of the college for the purpose of the Higher Education Personnel Law. This delegation, if authorized, shall include but not be limited to the authority to employ, dismiss, suspend, demote, lay off or reassign members of the classified staff. In addition, the President or his designee, the Executive Assistant to the President and Director of Personnel, is hereby delegated such authority as is necessary to effectuate the administration of the classified personnel policy. Provided that all contracts between recognized bargaining agents of classified personnel and Bellevue Community College shall be valid only after those contracts have received the approval of the Board of Trustees. The President of the college or his designee, the Executive Assistant to the President and Director of Personnel, may be delegated the authority to negotiate on behalf of the Board of Trustees, but in no event shall the President or his designee, the Executive Assistant to the President and Director of Personnel, be authorized to bind contractually the college in any agreement with a recognized bargaining agent of the classified staff.

NEW SECTION

WAC 132H-105-170 WRITTEN CONTRACTS. No full-time teacher, counselor, librarian or administrator shall be employed, and no teacher, counselor, librarian or administrator shall be employed in a different position from his present position, except by written contract or notice of employment signed by the proper appointing authority.

The President of Bellevue Community College may grant signing authority to the Director of Personnel for the purpose of consummating employment agreements for part-time employees.

NEW SECTION

WAC 132H-105-180 TENURE. The Board of Trustees of Community College District VIII reserves to itself the final determination of the granting of tenure to any academic employee of the district; the dismissal of a tenured academic employee; or the dismissal of a probationer during the term of his contract, pursuant to the policies of the Board of Trustees and the laws of the state of Washington.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 132H-104-010 through WAC 132H-104-150 BYLAWS AND STANDING ORDERS OF GOVERNING BOARDS.

WSR 78-08-101 EMERGENCY RULES DEPARTMENT OF NATURAL RESOURCES

[Order 298-Filed August 1, 1978]

I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency

rule amending logging restrictions in Administrative Order No. 300 in Western Washington, effective at midnight Tuesday, August 1, 1978, through midnight Thursday, August 3, 1978.

I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included in the logging restrictions are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 1, 1978.

By Bert L. Cole Commissioner of Public Lands

AMENDATORY SECTION (Amending Emergency Order 300, filed 7/30/78)

WAC 332-26-503 LOGGING ((SHUTDOWN))
HOOT OWL - COMPLETE SHUTDOWN FROM
1200 NOON UNTIL 2400 MIDNIGHT - RESTRICTIONS IN WESTERN WASHINGTON ON AREAS
UNDER PROTECTION OF THE DEPARTMENT
OF NATURAL RESOURCES IN THE OLYMPIC
AREA. Effective at midnight ((Sunday July 30)) Tuesday, August 1, 1978, through midnight ((Wednesday))
Thursday, August ((2)) 3, 1978, the ((shutdown)) logging restrictions shall be in force in ((Zone 1 in Clallam,
Jefferson and Grays Harbor Counties,)) Zone 2 in Grays
Harbor and Jefferson Counties ((5)) and Zone 3 in
Clallam County all in the Olympic Area.

During the period of ((shutdown)) hoot owl, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shutdown on all forest lands protected by the Department of Natural Resources in the above areas.

During the ((shutdown)) hoot owl period, all persons are excluded from logging operating areas and areas of logging slashings, except those persons present in the interest of fire protection.

Burning Permits in Burning Permit Zones B and C are cancelled in the above-noted Shutdown Zones.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-08-102 PROPOSED RULES DEPARTMENT OF AGRICULTURE [Filed August 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.60 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning to establish fees for colony strength inspection services, out-of-state movement certification inspection fees and disease control inspection services:

that such agency will at 1:00 a.m., Thursday, September 14, 1978, in the conference room, 2015 South First Street, Yakima, WA, conduct a hearing relative thereto:

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 27, 1978, in the Department of Agriculture, Office of Director, General Administration Building, Olympia.

The authority under which these rules are proposed is chapter 15.60 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 14, 1978, and/or orally at 1:00 a.m., Thursday, September 14, conference room, 2015 South First Street, Yakima, WA.

Dated: August 1, 1978

By: C. T. Nielsen

Assistant Director

NEW SECTION

WAC 16-602-020 APIARY INSPECTION FEES. (1) Certification of Honey Bees for out-of-state movement - \$12.00 per hour. Colony Strength Inspection - \$12.00 per hour All Other Inspection - \$12.00 per hour

- (2) For all inspection services performed after 5:00 p.m. or on Saturdays, or Sundays, or state legal holidays, an hourly charge equivalent of \$18.00 per hour for actual hours spent in performance of duties must be made.
- (3) The following state legal holidays will be observed: New Year's Day, Veterans Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the day following Thanksgiving Day, Christmas Day, Lincoln's Birthday and Washington's Birthday. NO SERVICE will be performed on Thanksgiving Day, Christmas Day or New Years Day, beginning at 5:00 p.m. on the previous day.

(4) Mileage. Whenever necessary, mileage will be charged at the rate established by the state office of financial management.

NEW SECTION

WAC 16-602-030 COLONY STRENGTH. The official minimum standard required for colony strength certification in the state of Washington shall be six frames, two-thirds covered with bees at a temperature of 65° Fahrenheit. It shall remain at this strength continuously from year to year unless, in a given year, the director by his own motion or upon the advice of Apiary Advisory Board determines that a new standard may need to be established, in which case he will hold a hearing on this issue in accordance with chapter 34.04 RCW.

WSR 78-08-103 PROPOSED RULES DEPARTMENT OF AGRICULTURE

[Filed August 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.14 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning grape plant certification as applied to identification of grape nursery stock, transfer of planting stock between participants in the grape plant certification program, and increase in registration fee;

that such agency will at 11:00 a.m., Thursday, September 14, 1978, in the conference room, 2015 South First Street, Yakima, WA, conduct a hearing relative thereto:

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 27, 1978, in the Department of Agriculture, Office of Director, General Administration Building, Olympia.

The authority under which these rules are proposed is chapter 15.14 RCW.

Interested persons may submit data, views, or arguments to this agency orally at 11:00 a.m., Thursday, September 14, 1978, conference room, 2015 South First Street, Yakima, WA.

Dated: August 1, 1978

By: C. T. Nielsen

Assistant Director

AMENDATORY SECTION (Amending Order 1397, filed 4/7/75)

WAC 16-462-015 DEFINITIONS. (1) *Virus infected (affected)* means presence of a virus(es) in a plant or plant part.

(2) "Virus-like" means a disorder of genetic or nontransmissible origin.

(3) "Off-type" means not true-to-name.

(4) "Indicator plant" means any herbaceous or woody plant used to index or determine virus infection.

(5) "Index or indexing" means to determine virus infection by means of inoculation from the plant to be tested to an indicator plant; or by any other method.

(6) "Registered vine" means that in a mother block and/or foundation block a number has been assigned by the department to a grape vine that has been inspected and tested virus free in accordance with

the provisions of this program.

(7) "Foundation block" means a planting of grape vines established, operated and maintained by Washington State University, that are indexed to be free from soil born viruses and that are true-to-name. Cuttings to establish mother blocks will be furnished to the applicants by the Washington State Department of Agriculture. Written requests for foundation material must be received by the Department of Agriculture before November 15 of each year.

(8) "Mother block" means a planting of grape vines for which propagating material originated directly from the Washington State University foundation block or first generation plants originating from such stock. The mother blocks will be maintained by the nurserymen and provide propagating wood to produce Washington certified grape nursery stock. ((Participants in the program must obtain permission from the Washington State Department of Agriculture prior to transfer of mother block planting stock from one participant to another.))

(9) "Washington certified grape nursery stock" means vines, rooted cuttings and cuttings taken or propagated directly from foundation or mother blocks and certified in accordance with the provisions of this program. Certified plants grown in a greenhouse may be used for one

growing season to propagate additional certified plants.

AMENDATORY SECTION (Amending Order 1193, filed 4/19/71)

WAC 16-462-020 REQUIREMENTS. (1) Applicant. (a) The applicant nurseryman shall be responsible, subject to the approval of the department, for the selection of the location and the proper maintenance of mother blocks and nursery stock. He shall be responsible for maintaining the identity of all nursery stocks and mother block vines, and for keeping all plants in a thrifty growing condition and free of plant pests.

(b) He shall take suitable precautions in cultivation, irrigation, movement and use of equipment, and in other farming practices, to guard against spread of soil-borne pests to plantings entered under this program. He shall keep all areas clean cultivated except for fall cover

crops.

(c) He shall remove and destroy immediately, following notification by the department, any registered vine or nursery plant found to be affected by a virus or virus-like disease or is off-type.

(d) The applicant agrees to make available to commercial grape growers, following the establishment of a mother block, at least 75% of certified cuttings or plants of each variety available each year.

(2) Location. The foundation block, all mother blocks and nursery stock shall be located at least 100 feet from any land on which non-certified grape vines have been grown within the past 10 years.

(3) General. (a) Plants in the mother blocks shall be spaced at a minimum of 6 to 10 feet in the row, and rows 10 feet apart, with 16 to 20 feet between varieties in the row. These spacing requirements will not apply to mother blocks established in a greenhouse.

(b) Cuttings from each mother block ((vine must be marked and kept separate during the growing season)) variety and selection number must be identified and kept separate during the growing season.

(c) Treatment to eliminate soil-borne pests may be required.

(d) All nursery stock other than greenhouse grown plants shall comply with the grades and standards for Washington certified grape nursery stock as listed in the order for grades and standards.

(e) Certified stock shall remain in the nursery no more than two growing seasons.

AMENDATORY SECTION (Amending Order 1397, filed 4/7/75)

WAC 16-462-030 APPLICATION AND FEES. (1) Application. (a) The applicant nurseryman shall furnish information requested and shall give his consent to the department to take plants or plant parts from any planting for inspection or testing purposes.

(b) Application for inspection must be filed with the department by January 1 of each year accompanied by a ((\$40.00)) one hundred dol-

lar application fee.

(c) Inspection fees established are payable upon completion of the work to be done and are for the sole purpose of defraying expenses incurred in the inspection, approval, registration, and certification procedures provided.

(d) Payment for inspection of mother blocks and nursery stock for registration and certification must be made upon completion of the inspection. Billing to the nurseryman to be made by the plant industry division.

(2) Inspection fees. (a) The inspection tags shall be furnished by the department of agriculture.

(b) The mother block and nursery stock inspection fee shall be in accordance with chapter 16-400 WAC as adopted or hereafter amended, entitled Horticultural Inspection Fees, WAC 16-400-210, hourly charge, and WAC 16-400-250, entitled mileage.

WSR 78-08-104 NOTICE OF PUBLIC MEETINGS POLLUTION CONTROL HEARINGS BOARD [Memorandum, Chairman—July 28, 1978]

The regular meeting of the Pollution Control Hearings Board scheduled for Tuesday, September 5, 1978, will commence at 9:00 a.m. instead of the regular time of 10:00 a.m. in the Board's office at Number One South Sound Center, Lacey, Washington.

WSR 78-08-105 PROPOSED RULES DEPARTMENT OF AGRICULTURE

[Filed August 2, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.65 RCW, that the state Department of Agriculture intends to adopt, amend, or repeal rules concerning the Marketing Order for Washington Blueberries, amending WAC 16-550-040 to increase the assessment from 1/4 cent per pound to 1/2 cent per pound;

that such agency will at 10:00 a.m., Monday, October 9, 1978, in the Winter School Bldg., West. Wash. Research and Exten. Center, Puyallup, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, December 21, 1978, in the Office of the Director of the Dept. of Agriculture, Olympia, WA, subject to a producer referendum vote.

The authority under which these rules are proposed is chapter 15.65 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 9, 1978, and/or orally at 10:00 a.m., Monday, October 9, 1978, at the Winter School Bldg., West. Wash. Research and Exten. Center, Puyallup, WA.

> Dated: August 1, 1978 By: Bob J. Mickelson Director

AMENDATORY SECTION (Amending Order 1116, filed 5/14/69)

WAC 16-550-040 ASSESSMENTS AND COLLECTIONS. (1) Assessments.

- (a) The annual assessment on all varieties of blueberries shall be one-((fourth))half cent per affected unit (pound).
 - (b) For the purpose of collecting assessments, the board may:
- (i) require handlers to collect producer assessments from producers whose production they handle, and remit the same to the board; or
- (ii) require the person subject to the assessment to give adequate assurance or security for its payment.
- (c) Subsequent to the first sale no affected units shall be transported, carried, shipped, sold, marketed, or otherwise handled or disposed of until every due and payable assessment herein provided for has been paid and the receipt issued. The foregoing shall include all affected units shipped or sold, both inside and outside the state.
- (2) Collections. Any moneys collected or received by the board pursuant to the provisions of the order during or with respect to any season or year, may be refunded on a prorata basis at the close of such season or year or at the close of such longer period as the board determines to be reasonably adapted to effectuate the declared policies of this act and the purposes of such marketing agreement or order, to all persons from whom such moneys were collected or received or may be carried over into and used with respect to the next succeeding season, year or period whenever the board finds that the same will tend to effectuate such policies and purposes.
- (3) Penalties. Any due and payable assessment herein levied in such specified amount as may be determined by the board pursuant to the provisions of the act and the order, shall constitute a personal debt of every person so assessed or who otherwise owes the same, and the same shall be due and payable to the board when payment is called for by it. In the event any person fails to pay the board the full amount of such assessment or such other sum on or before the date due, the board may, and is hereby authorized, to add to such unpaid assessment or sum an amount not exceeding ten percent of the same to defray the

cost of enforcing the collecting of the same. In the event of failure of such person or persons to pay any such due and payable assessment or other such sum, the board may bring a civil action against such person or persons in a state court of competent jurisdiction for the collection thereof, together with the above specified ten percent thereon, and such action shall be tried and judgment rendered as in any other cause of action for debt due and payable.

WSR 78-08-106 PROPOSED RULES PLANNING AND COMMUNITY AFFAIRS AGENCY [Filed August 2, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Planning and Community Affairs Agency intends to adopt, amend, or repeal rules concerning the conditions and procedures under which state funds will be made available to local Head Start programs;

that such agency will at 10:00 a.m., Tuesday, September 5, 1978, in the 4th floor conference room, PCAA, 400 Capitol Center Building, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, September 7, 1978, in the 4th floor conference room, PCAA, 400 Capitol Center Building, Olympia, WA.

The authority under which these rules are proposed is RCW 43.63A.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 5, 1978, and/or orally at 10:00 a.m., Tuesday, September 5, 1978, 4th floor conference room, 400 Capitol Center Building, Olympia, WA 98504.

> Dated: August 1, 1978 By: Dean Cole Director

Chapter 365-40 WAC RULES AND REGULATIONS REGARDING STATE FUNDING OF LOCAL HEAD START PROGRAMS

NEW SECTION

WAC 365-40-010 PURPOSE AND AUTHORITY. (1) The purpose of this chapter is to outline the conditions and procedures under which state funds will be made available for Head Start programs.

(2) This activity is undertaken pursuant to RCW 43.06.110 and chapter 43.63A RCW.

NEW SECTION

WAC 365-40-020 DEFINITIONS. (1) "Applicant" means a unit of local government or combination thereof, or a qualified private organization which applies for state Head Start funds.

(2) "Contractor" means an applicant which has been allocated state Head Start funds and which has entered into a contract to carry out a Head Start program.

(3) "Director" means the director of the planning and community affairs agency (hereafter, the agency).

(4) "Head Start program" means an operation undertaken in accordance with the program performance standards set forth in the OCD-HS HEAD START POLICY MANUAL (OCD Notice N-30-364-4) "Head Start Program Performance Standards," published by the United States department of health, education, and welfare July, 1975.

NEW SECTION

WAC 365-40-030 FINANCIAL SUPPORT APPLICATION PROCESS. (1) Each potential applicant will be notified by the agency that application for state Head Start financial assistance is to be made to the agency.

- (2) An applicant must make formal application in the form and manner specified by the agency thirty days prior to commencement of the federal Head Start program year for which such assistance is sought. Failure of an applicant to make application in a timely manner will result in no state Head Start funds being allocated.
- (3) Applications for state Head Start funds shall contain the following information, in detail:
- (a) A description of the services to be provided or activities proposed to be undertaken by the applicant consistent with the provisions of WAC 365-40-040 and 365-40-050.
 - (b) A budget specifying intended uses of state Head Start funds.
- (c) A description of applicant's monitoring-evaluation system which will insure that direct measurable services are being provided to children in its Head Start program as well as an explanation of how the applicant will evaluate the effectiveness of the program and the dates at which such monitoring and evaluation will occur.

NEW SECTION

WAC 365-40-040 ELIGIBILITY CRITERIA. In order to receive Head Start funds, a contractor must provide services to families and individuals of all ages who are residents of the state who are in need of skills, knowledge, opportunities and motivation to become economically self-sufficient. Each Head Start program must be designed to improve the health and general well-being of the children involved, develop their mental processes, and enhance their conceptual and verbal skills. Head Start funds may be used only for activities which result in direct and measurable services to Head Start program children. State Head Start funds are allocated by a formula based on the weighted number of children served in a program. This formula is reviewed and approved by the State Head Start Advisory Committee established by the director under the authority of RCW 43.63A.130.

NEW SECTION

WAC 365-40-050 ALLOWED AND FORBIDDEN USES OF STATE HEAD START FUNDS. (1) Allowable uses of state Head Start funds include but are not limited to:

- (a) Purchase of supplies to be consumed by Head Start program children.
- (b) Purchase and maintenance of equipment used for and by Head Start program children (nonconsumable educational equipment and materials, transportation vehicles, etc.).
- (c) Payment of salaries for nonadministrative personnel such as full or part-time teachers or specialists in speech, hearing, hygiene, reading, etc.
- (d) Purchases under contract of medical or dental services for Head Start children.
- (2) Forbidden uses of Head Start funds include but are not limited to:
- (a) Payment of salaries for administrative personnel such as program directors, assistant directors, bookkeepers, secretaries, etc.
- (b) Payment of administrative support expenses such as postage, telephone, travel, utilities, and equipment.

NEW SECTION

WAC 365-40-060 METHOD OF PAYMENT. State Head Start funds will be paid in accordance with the provisions of the applicable contract and these regulations. All contracts will provide for monthly or quarterly progress payments conditioned upon submission of a progress report with each voucher requesting payment, describing services provided and activities provided. If an intended use is not allowable under these rules, or if the voucher submitted is not accompanied by the required progress report, the voucher will not be paid. The agency will notify the contractor of the need to take corrective action within thirty days of its discovery of the deficiency. In the event corrective action is not taken, the contract may be terminated. Funds allocated to the contractor may be subject to redistribution upon termination of any contract.

WSR 78-08-107 NOTICE OF PUBLIC MEETINGS PLANNING AND COMMUNITY AFFAIRS AGENCY [Memorandum, Director—August 1, 1978]

State Building Code Advisory Council

The State Building Code Advisory Council has scheduled the following meetings:

September 20, 1978 1:00 p.m. Carvery Restaurant Sea-Tac Airport

November 15, 1978 1:00 p.m. Carvery Restaurant Sea-Tac Airport

For further information contact Christopher Woodsum, Local Government Services Division, Planning and Community Affairs Agency, Olympia, Washington 98504, (206) 754-1243.

Energy Conservation Weatherization Advisory Council

The Energy Conservation Weatherization Advisory Council will meet on September 13, 1978, at 9:00 a.m. at the Sea-Tac Travelodge. For further information, contact Priscilla Cates, Office of Economic Opportunity, Planning and Community Affairs Agency, Olympia, Washington 98504, (206) 753-4931.

WSR 78-08-108 PROPOSED RULES COMMISSION ON EQUIPMENT [Filed August 2, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Commission on Equipment intends to adopt, amend, or repeal rules concerning:

chapter 204-44 WAC Load fastening devices. chapter 204-64 WAC Quartz halogen headlamps;

that such agency will at 1:30 p.m., Friday, September 29, 1978, in the large conference room, first floor, General Administration Building, Olympia, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Friday, September 29, 1978, in the large conference room, first floor, General Administration Building, Olympia.

The authority under which these rules are proposed is RCW 46.37.005, 46.37.320 and 46.37.490.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 29, 1978, and/or orally at 1:30 p.m., Friday, September 29, 1978, large conference room, first floor, General Administration Building, Olympia.

Dated: July 31, 1978 By: M. J. Obert Secretary

Chapter 204-44 WAC ((STANDARDS FOR)) LOAD FASTENING DEVICES

WAC 204-44-020

AMENDATORY SECTION (Amending Order 7606, filed 2/24/76)

WAC 204-44-020 STANDARDS FOR LOAD FASTENING DEVICES. (1) Any motor truck, truck tractor, trailer, semi-trailer, or any combination thereof, transporting logs ((or any other load)) upon a public highway where binder devices are required, shall have the load thereon securely fastened and protected ((by at least two load binders sufficiently strong to withstand all possible strains.)) as follows:

(a) Placement and number of wrappers required on log trucks using

stakes.

(i) In the hauling of one log loads, one wrapper chain or cable shall be required and it shall be secured to the rear bunk and the log shall be properly blocked in a manner which will prevent it from rolling or

(ii) In the hauling of two log loads, not less than two wrapper chains or cables shall be used to secure the load. The logs shall be properly

blocked to prevent them from rolling or shifting.

(iii) On loads consisting ov three or four logs not over 44 feet in length, the load shall be secured by not less than two properly spaced wrapper chains or cables. Ends of short logs not secured by such wrappers shall be secured with extra wrappers. If any log is over 44 feet in length, the load shall be secured by not less than three properly spaced wrappers.

(iv) Loads consisting of five or more logs, when the logs are all 17 feet or less in length, shall be secured by not less than two properly spaced wrappers. Loads consisting of five or more logs, when any log is over 17 feet in length, shall be secured by not less than three properly

spaced wrappers.

(b) Placement and number of wrappers required on log trucks using chock blocks.

(i) In the hauling of one log load, one wrapper chain or cable shall be required and secured to the rear bunk and the log shall be properly blocked in a manner to prevent it from rolling or shifting.

(ii) One additional wrapper chain or cable shall be required on log trucks using chock blocks over and above the requirements in subdivi-

sions (a) (iii) and (iv) of this section.

- (c) Placement and number of wrappers required on crosswise loaded trucks, trailers, etc. In the case of short logs loaded crosswise, the following method of securing the load shall be used if the truck or trailer is not provided with solid ends of a height sufficient to prevent any log in the load from rolling off: Not less than two chock blocks shall be used at each open end of the vehicle and the load shall be held with at least two wrapper chains or cables. The wrappers shall be firmly attached to the end of the truck or trailer. Rigid standards or stakes may be used in lieu of chock blocks but each such standard or stake shall be either rigidly connected to the bed of the truck or trailer or shall be placed in a tight fitting socket at least 12 inches in depth. Other means
- furnishing equivalent security may be acceptable.
 (d) Wrapper placement. When two wrappers are required, they shall be applied within six feet of the front and rear bunks. When more than two wrappers are required, the front and back binder shall be applied within six feet of the front and rear bunks.

(e) Short logs. To properly secure short logs, binders shall be placed near the end, not less than 12 inches from the end of the log.

- (f) Log on top or in outside saddle. No log loaded on top or in outside saddles of a load shall be transported unless secured by not less than two wrapper chains or cables, one of which shall be placed near each end of such log.
- (g) Fasten in place. All wrappers and binders shall be fastened in place prior to tightening to prevent the displacement of logs on the top of the load.
- (h) Surround load. All wrapper chains or cables, except in the case of one log loads, shall entirely surround the load. This does not apply to gut-wrappers.

(i) Gut-wrappers. Gut-wrappers, when used, shall be adjusted so as to be tightened by, but not carry the weight of the logs above them.

- (i) Wrappers and binders to be placed before leaving immediate loading area. Wrappers and binders shall be placed and tightened around the completed load before the truck leaves the immediate load-
- (k) Wrappers and binders required. When logs or log chunks could roll or slide off the truck due to snow or ice conditions, or the logs or

log chunks do not extend beyond the stakes, at least two wrappers and binders shall be used regardless of the height of the load.

(1) Construction of wrappers and binders. Wrapper chains or cables, binders, fasteners, or attachments thereof, used for any purpose as required by these standards, shall have a minimum breaking strength of not less than 15,000 pounds and shall be rigged so that it can be safely released

(m) Bundle straps or banding. For the purposes of this standard, applied bundle straps or banding are not acceptable as wrappers and

binders

(n) Loose ends secured. All loose ends of wrapper chains or cables shall be securely fastened so as to prevent their swinging free in a manner that will create a hazard.

(o) Binder hook design. Binders for securing wrappers on logging trucks shall be fitted with hooks of proper size and design for the

wrapper chain being used.

- (p) Defective wrappers. Wrappers shall be removed from service when any of the following conditions exist:
- (i) Excessively worn links on chains
- (ii) Deformed or stretched chain links;

(iii) Cracked chain links;

(iv) Frayed, stranded, knotted, or otherwise defective wire rope

(q) Binder extensions. Pipe extension handles (swedes) for tightening or securing binders shall be limited to not longer than 36 inches. Care shall be taken that a sufficient amount of the pipe extends over the binder handle.

(r) Defective binders. Defective binders shall be immediately re-

moved from service.

NOTE: See Figures I and II for illustrations of placement and

number of wrappers.

(2) Any motor truck, truck tractor, trailer, semi-trailer, or any combination thereof, transporting any load other than logs, upon a public highway where binder devices are required, shall have the load thereon securely fastened and protected by at least two load binders sufficiently strong to withstand all possible strains. The load securing devices shall have a breaking strength of at least 15,000 pounds. Exception: Binders used to secure baled hay and baled straw shall have a breaking strength of not less than 9,000 pounds. (Order 7606, & 204-44-020, filed 2/24/76. Prior: Order 7303, & 204-44-020, filed 12/19/73.)

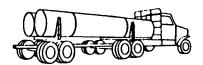
PLACEMENT AND NUMBER OF WRAPPERS

One Log Load



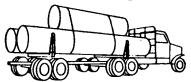
One wrapper required which shall be secured to rear bunk. Log shall be blocked to prevent it from rolling or shifting.

Two Log Load



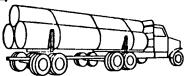
A minimum of two wrappers required. Logs shall be blocked to prevent them from rolling or shifting.

Three or Four Log Load 44 Ft. or Less



A minimum of two wrappers required.

Three or Four Log Loads More Than



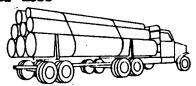
A minimum of three wrappers required.

Five or Six Log Load All Logs 17 Feet or Less



A minimum of two wrappers required.

Seven or More Log Load All 17 Feet or Less



A minimum of two wrappers required.

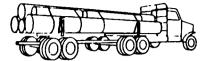
Five or More Log Load If Any Logs Are More Than 17 Feet



A minimum of three wrappers required.

Figure No. 10-A

Outside Logs or Top Logs



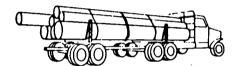
All outside or top logs shall be secured by a wrapper near but not within 12 inches of each end.

A Wrapper Shall Be Near Each Bunk



Each load shall be secured by having a wrapper within 6 feet of each bunk except on one log loads.

Proper Support For Logs



Not more than approximately onethird the weight of any log shall extend beyond the end of the logs or bunk supporting it.

Short Logs Loaded Crosswise



A minimum of two wrappers are required and two chocks or stakes shall be used on the open end of the truck.

NOTE: All loads of logs on logging trucks equipped with chock blocks instead of stakes, shall have at least one additional wrapper over and above the requirements for trucks equipped with stakes, excepting on one and two log loads and trucks with short logs loaded crosswise.

Figure No. 10-B

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

Chapter 204-64 WAC QUARTZ HALOGEN HEADLAMPS

WAC	
204-64-010	Purpose
204-64-020	Definition
204-64-040	Approved Procedure
204-64-060	Application for Certificate of Approval
204-64-080	Installation, Aiming, and Adjustment
204-64-100	Application of These Regulations

NEW SECTION

WAC 204-64-010 PURPOSE. By authority of R.C.W. 46.37.005 and 46.37.320, the Commission on Equipment hereby adopts the following regulation pertaining to the approval, installation, adjustment, and aiming of quartz halogen headlamps.

NEW SECTION

WAC 204-64-020 DEFINITION. Quartz halogen headlamps are those that meet the standards established by the United Nations' Agreement concerning the adoption of approval and reciprocal recognition of approval for motor vehicle equipment and parts agreed upon at Geneva on March 20, 1958, as amended and adopted by the Canadian Standards Association (CSA Standard D106.2).

NEW SECTION

WAC 204-64-040 APPROVAL PROCEDURE. The Commission on Equipment shall issue a certificate of approval to manufacturers of quartz halogen headlamps for sale of such lighting devices in this state when such manufacturer submits proper certification that such device conforms with Canadian Standards Association Standard D106.2. All applications shall include a copy of the CSA approval and shall be submitted to the Commission on Equipment for approval. The address is Secretary, Commission on Equipment, General Administration Building AX-12, Olympia, Washington 98504.

NEW SECTION

WAC 204-64-060 APPLICATION FOR CERTIFICATE OF APPROVAL. The application for the certificate of approval for quartz halogen headlamps shall include the following information as shown in the sample:

	Date:
Secretary	
Commission on Equipment	
General Administration Building AX-12	
Olympia, Washington 98504	

The attached CSA Approval, File No. dated certifies that the following headlamp complies with the United Nations Geneva Agreement in 1958 for "Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts" and Canadian Standards Association Standard No. D106.2, "Vehicle Headlight Conforming to ECE Regulations", in accordance with RCW 46.37.320.

Manufacturer: U. S. Designation: Canadian Designal Manufacturer's De ECE Approval Ma	tion:esignation:	Front Len	 s:	
Sealed Beam Repl				
Standard Vehicle I Manufacturer's Washington:	Equipment Represent	on: ative in	the	State of
Applicant:				

NEW SECTION

WAC 204-64-080 INSTALLATION, AIMING, AND ADJUSTMENT. Prior to approval for sale and use of quartz halogen headlamps, manufacturers shall submit for approval to the Commission on Equipment a copy of an instructional guide, pamphlet, brochure, or other written information which will be provided to the consumer by the manufacturer. The instructional guide shall describe in easily readable text, diagrams, or pictures the proper procedures for the installation, aiming, and adjustment of quartz halogen headlights. The manufacturer shall provide the approved instructional guide at no charge in each individual package of quartz halogen headlamps. Headlamps shall comply with the requirements of, limitations of, and shall be installed and maintained in accordance with Chapter 46.37, RCW.

NEW SECTION

WAC 204-64-100 APPLICATION OF THESE REGULA-TIONS. These regulations are intended to apply only to Washington State Headlamp Standards. These regulations do not in any way affect the application of laws, regulations, or standards pertaining to headlight standards promulgated by any other state or by the federal government.

WSR 78-08-109 PROPOSED RULES DEPARTMENT OF GAME

[Filed August 2, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 42.30 RCW, that the State Game Commission intends to adopt, amend, or repeal rules concerning:

Repeal WAC 232-12-330 Use of artificial lights in fishing unlawful.

Adopt WAC 232-12-205 Director enpowered to alter seasons;

that such agency will at 9 a.m., Monday, October 2, 1978, in the Travelodge River Inn, North 700 Division, Spokane, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9 a.m., Monday, October 2, 1978, in the Travelodge River Inn, North 700 Division, Spokane, WA.

The authority under which these rules are proposed is RCW 77.12.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 2, 1978, and/or orally at 9 a.m., Monday, October 2, 1978, Travelodge River Inn, North 700 Division, Spokane, WA.

Dated: August 2, 1978 By: Wallace F. Kramer Wildlife Management Chief

NEW SECTION

WAC 232-12-205 DIRECTOR ENPOWERED TO ALTER SEASONS. In accordance with the provisions of RCW 77.12.150, the approval of the Commission is given to the director to entirely close or shorten any season for game fish within the respective game areas; and after a season has been closed or shortened, reopen it, and also fix daily, weekly, or season bag limits on game fish within any game area.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of the Washington Administrative Code is repealed:

(1) WAC 232-12-330 USE OF ARTIFICIAL LIGHTS IN FISHING UNLAWFUL.

WSR 78-08-110 PROPOSED RULES DAIRY PRODUCTS COMMISSION

[Filed August 2, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.44 RCW, that the Washington State Dairy Products Commission, intends to adopt, amend, or repeal rules concerning adding a new section to chapter 142–12 WAC relating to Dairy products—Milk assessment regulations;

that such agency will at 3:00 p.m., Friday, October 6, 1978, in the Windjammer Restaurant, Shilshole Bay Marina, Seattle, WA, conduct a hearing relative thereto; and that the adoption, amendment, or repeal of such rules will take place at 3:00 p.m., Friday, October 6, 1978, in the Windjammer Restaurant, Shilshole Bay Marina, Seattle, WA.

The authority under which these rules are proposed is chapter 15.44 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 6, 1978, and/or orally at 3:00 p.m., Friday, October 6, 1978, Windjammer Restaurant, Shilshole Bay Marina, Seattle, WA.

Dated: August 2, 1978 By: Robert M. Hallberg Secretary-Treasurer

NEW SECTION

WAC 142-12-026 ASSESSMENT RATE ON CLASS I AND CLASS II MILK. The assessment as set forth in RCW 15.44.085 which is levied on every hundredweight of Class I or Class II milk sold by a dealer, including any milk sold by a producer who acts as a dealer, is hereby increased from five-eighths of one cent per hundredweight to three-fourths of one cent per hundredweight.

WSR 78-08-111 NOTICE OF PUBLIC MEETINGS DEPARTMENT OF ECOLOGY

[Memorandum—August 2, 1978]

The Washington State Ecological Commission's third quarterly meeting date has been changed. The next meeting will be held in October in Vancouver, Washington. The exact date, time and place will be published in the September issue of the Washington State Register.

Information regarding the Ecological Commission meeting may be obtained by contacting Susan Pratt, Ecological Commission Secretary (206-753-2440) in Olympia.

WSR 78-08-112 NOTICE OF PUBLIC MEETINGS DEPARTMENT OF ECOLOGY [Memorandum—August 2, 1978]

The Washington State Department of Ecology proposes to amend and refine its Coastal Zone Management program to incorporate new requirements brought about by Congressional changes to the federal Coastal Zone Management Act and the adoption of various administrative regulations by the Office of Coastal Zone Management.

The hearing will be held at the Port of Seattle Commission Chambers, Pier 66, on Alaskan Way, at the foot of Bell Street on Monday, September 11, 1978 at 7:00 p.m.

The amendments include planning elements for erosion, beach access, and energy facilities siting as required by the 1976 amendments to the Coastal Zone Management Act. Refinements respond to federal regulations for federal consistency (Section 307) and for requirements for state programs (Section 306).

(The amendments being considered at this hearing do <u>not</u> include "the deletion of the oil transportation policy", which is now under consideration by the Office of Coastal Zone Management.)

For further information or for those who wish to receive a draft of the proposal, contact Don Peterson, Department of Ecology, PV-11, Olympia, Washington 98504; telephone (206) 753-6894.

For those who cannot attend the hearing written statements will be accepted until September 19, 1978.

WSR 78-08-113 PROPOSED RULES DEPARTMENT OF LICENSING

[Filed August 2, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Director, Department of Licensing intends to adopt, amend, or repeal rules concerning licensure fees for registered nurses, amending WAC 308-120-260. (A copy of the proposed rules is attached; however, changes may be made at the public hearing.);

that such agency will at 3:00 p.m., Friday, September 15, 1978, in the Sea-Tac Travelodge, Rooms A and B, 2824 South 188th, Seattle, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 3:00 p.m., Friday, September 15, 1978, in the Sea-Tac Travelodge, Rooms A and B, 2824 South 188th, Seattle, WA.

The authority under which these rules are proposed is RCW 18.88.160 and 43.24.085.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 11, 1978, and/or orally at 3:00 p.m., Fridaŷ, September 15, 1978, Sea-Tac

Travelodge, Rooms A and B, 2824 South 188th, Seattle,

This notice is connected to and continues the matter noticed in Notice No. WSR 78-06-118 filed with the code reviser's office on June 7, 1978.

Dated: August 2, 1978 By: Barbara Phillips Assistant Attorney General

AMENDATORY SECTION (Order PL 216, filed 11/5/75)

WAC 308-120-260 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fe	ee
Application	\$ 25.0)0
License renewal	8.0	Ю.
Renewal penalty	5.0	00
Endorsement – reciprocity	25.0	00
((ARN-SRN application	45.0	96
((ARN-SRN renewal	15.0)(
((ARN-SRN renewal penalty	5.00))
Duplicate license	3.0	Ó
CRN prescriptive authority application	20.0	00
CRN prescriptive authority renewal	10.0	<u> 50</u>

WSR 78-08-114 PROPOSED RULES DEPARTMENT OF LICENSING

[Filed August 2, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Licensing intends to adopt, amend, or repeal rules concerning licensure qualifications and procedures regarding practical nurses. (copy of the proposed rule is attached hereto; however, changes may be made at the public hearing);

that such agency will at 10 a.m., Thursday, September 14, 1978, in the 4th Floor Conference Rm., Highways-Licenses Building, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10 a.m., Thursday, September 14, 1978, in the 4th Floor Conference Rm., Highways-Licenses Bldg., Olympia, WA.

The authority under which these rules are proposed is RCW 18.78.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 12, 1978, and/or orally at 10 a.m., Thursday, September 14, 1978, 4th Floor Conference Rm., Highways-Licenses Bldg., Olympia, WA.

Dated: August 2, 1978 By: Barbara Phillips Assistant Attorney General

AMENDATORY SECTION (Amending Order PL 189, filed 5/23/75)

WAC 308-116-295 LICENSURE QUALIFICATION AND PROCEDURES. (1) Licensure by examination.

(a) The applicant shall have satisfactorily completed an approved practical nursing program, fulfilling all the basic course content as stated in WAC ((308-116-038)), 308-116-040, or its equivalent as determined by the board.

(b) Equivalency requirement.

(i) An applicant who ((has successfully completed, within two years from date of application,)) establishes with the board evidence of successful completion of nursing courses ((in nursing)) at an accredited school of professional nursing ((to)), which courses include personal and vocational relationships, theory and clinical practice in medications, and theory and clinical practice in medical, surgical, pediatric, and obstetric nursing, and which courses are equivalent to those ((in an approved)) same courses at a practical nursing program ((and establishes evidence thereof)) approved by the board, shall be deemed to have completed the equivalent of a board-approved practical nursing program, and shall be admitted to the examination if he or she meets all other application requirements.

(c) All applicants shall file a complete application with fee and supporting documents as required by the board.

- (i) Completed application, with fee, shall be in the division of professional licensing sixty days prior to the scheduled examination date.
- (ii) All fees submitted to and processed by the division of professional licensing will not be subject to refund.
- (d) All applicants shall write the current state board test pool examination for practical nurses.
- (e) The minimum passing score on the licensing examination is set forth by the Washington state board of practical nurse examiners. Subsequent to October 1, 1973, the minimum passing score is 400.
- (f) Results of the licensing examination are recorded by standard scores only to the candidate and his/her school of nursing.

(2) Failures.

- (a) Candidates requesting to rewrite the licensing examination shall submit a written request and the required fee at least sixty days prior to the scheduled examination date.
- (b) Candidates failing the licensing examination on the third rewrite (fourth writing) shall be required to meet recommendations of the board to qualify to reapply for the licensing examination.
- (c) Candidates who wish to rewrite the licensing examination shall reapply within twelve months of last writing. Candidates who fail to reapply within twelve months of last scheduled writing shall submit a new application and required fee or shall have application terminated.

(3) Licensure by interstate endorsement. To qualify for licensure in

Washington by interstate endorsement an applicant shall:

- (a) Be a graduate of an approved practical nursing program in another state or territory of the United States, or its equivalent as determined by the board. Fulfill the basic minimum requirements currently set forth in WAC 308-116-040.
- (b) Have successfully passed the state board test pool examination for practical nurses in another state or territory of the United States. The applicant who wrote the same form of the state board test pool examination for practical nurses in another jurisdiction as that used for Washington practical nurse licensure prior to October 1, 1973, shall be required to have attained a minimum score of 350. Subsequent to October 1, 1973, the minimum passing score is 400.
- (c) Hold a valid current license in another state or territory of the United States.
- (4) Licensure of graduates of foreign schools of nursing. Nurses who received their basic nursing education outside the United States and its territories shall:
- (a) Be a graduate of an accredited school of professional or practical nursing. Each applicant shall fulfill all the basic minimum requirements that are equivalent to those required in an approved practical nursing program (currently established in WAC 308-116-040)

(((i) Have satisfactorily completed nursing program within the last

(((ii))) (i) Submit a completed application with fee to be on file before evaluation of records is conducted by the board.

(((iii))) (ii) Request the licensing authority in country of original licensure to submit an official verification of license.

(((iv))) (iii) Request their school of nursing to submit an official transcript to determine eligibility. Each transcript must be in English or accompanied by an official English translation notarized as a true and correct copy.

(b) Write and successfully pass the current state board test pool examination for practical nurses unless successfully passed the state board test pool examination for practical nurses in another jurisdiction or territory of the United States with the passing score required in Washington.

(c) Failures.

- (i) Candidates requesting to rewrite the licensing examination shall submit a written request and the required fee at least sixty days prior to the scheduled examination date.
- (ii) Candidates failing the licensing examination on the third rewrite (fourth writing) shall be required to meet recommendations of the board to qualify to reapply for the licensing examination.
- (iii) Candidates who wish to rewrite the licensing examination shall reapply within twelve months of last writing. Candidates who fail to reapply or appear within twelve months of last scheduled writing shall submit a new application and required fee or shall have application terminated.

WSR 78-08-115 PROPOSED RULES DEPARTMENT OF LICENSING (Board of Nursing)

[Filed August 2, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Nursing intends to adopt, amend, or repeal rules concerning CRN prescriptive authority—Application requirements, authorized prescriptions, termination of prescriptive authorization, prescriptive authorization period, renewal, adding as new sections WAC 308-120-400, 308-120-410, 308-120-420, 308-120-430, 308-120-440. (A copy of the proposed rules is attached; however, changes may be made at the public hearing.);

that such agency will at 3:00 p.m., Friday, September 15, 1978, in the Sea-Tac Travelodge, Rooms A and B, 2824 South 188th, Seattle, WA, conduct a hearing relative thereto:

and that the adoption, amendment, or repeal of such rules will take place at 3:00 p.m., Friday, September 15, 1978, in the Sea-Tac Travelodge, Rooms A and B, 2824 South 188th, Seattle, WA.

The authority under which these rules are proposed is RCW 18.88.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 11, 1978, and/or orally at 3:00 p.m., Friday, September 15, 1978, Sea-Tac Travelodge, Rooms A and B, 2824 South 188th, Seattle, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-06-119 filed with the code reviser's on June 7, 1978.

Dated: August 2, 1978
By: Barbara Phillips
Assistant Attorney General

NEW SECTION

WAC 308-120-400 APPLICATION REQUIREMENTS FOR CRN PRESCRIPTIVE AUTHORITY. A registered nurse applicant for authority to prescribe legend drugs shall:

(1) Be currently recognized as a certified registered nurse in Washington.

(2) Have practiced as a certified registered nurse for one year immediately prior to applying for prescriptive authority.

(3) Provide evidence of completion of thirty contact hours of education in pharmacology which includes content in prescription writing, choosing drugs, drug interactions, information resources, and pharmacology relating to the applicant's specific area of practice, and which are

- (a) obtained within a two-year time period immediately prior to the date of application for prescriptive authority; and
 - (b) derived from the following:
- (i) Non-credit courses or other offerings that include pharmacology, such as workshops, seminars, conferences, and institutes approved by professional organizations. For these sources, one contact hour may be awarded for each hour of actual attendance.
- (ii) Formal academic study other than that within the applicant's certification program: PROVIDED, That, if study within the applicant's certification program was taken within two years immediately prior to application for prescriptive authority and included specific hours of study in pharmacology, such hours of study may be used to satisfy this requirement. For these sources, fifteen contact hours may be awarded per semester credit, ten contact hours per quarter credit, or one contact hour per each hour of actual attendance, as appropriate in the view of the board.
- (iii) Presentation of a paper on a pharmacological subject in the applicant's specialty area. For this source, five contact hours may be credited.
- (iv) Publication of a paper on a pharmacological subject in the applicant's specialty area in a professional or lay journal: PROVIDED, That, credit for the same work may not be claimed under both this section and WAC 308-120-400(3)(c)(iii). For this source, five contact hours may be credited.
 - (v) Other learning activities as approved by the board.

- 60

The board reserves the right to disallow or decrease the amount of credit claimed for any activity, for good cause shown.

- (4) Submit a completed, notarized application with specified nonrefundable fee.
- (5) Obtain a prescriber identification number from the board of nursing which includes the RN license number and a number identifying specific (nursing) practice areas, as follows:

Maternal-Gynecologic-Neonatal nesthesia - 10 - 70 Midwifery - 20 Medical/surgical - 80 Adult health - 30 Pediatrics - 90 - 40 - 50 Community health Psychiatric/mental health -100Family health

Gerontology NEW SECTION

WAC 308-120-410 AUTHORIZED PRESCRIPTIONS BY THE CRN. (1) Written prescriptions shall include the name, prescriber identification number, address and telephone number of the prescriber, the name and address of the patient, and the date the prescription is written.

- (2) Written prescriptions shall be signed by the prescriber, followed with the initials "CRN" and the prescriber identification number.
- (3) Oral prescriptions shall be followed by written prescriptions within seventy-two hours.
- (4) Prescriptions for controlled substances in schedules I through IV are statutorily prohibited in RCW 18.88.280(16).
- (5) Controlled substances in schedule V which are non-prescription drugs may be recommended.
- (6) The CRN shall be authorized to prescribe, dispense and administer only those drugs customarily used within the scope of the prescriber's identified practice area.
- (7) Prescriptions written by an authorized CRN shall be valid at any pharmacy for any drug used within the identified practice area.
- (8) Prescriptions for legend drugs shall comply with requirements stated in RCW 69.41.040 and .050.

NEW SECTION

WAC 308-120-420 TERMINATION OF PRESCRIPTIVE AUTHORIZATION. Prescriptive authorization shall be terminated by the board when the CRN has:

- (1) prescribed dispensed or administered drugs outside the scope of authorization or for other than therapeutic purposes.
- (2) been found in violation of chapter 18.88 RCW.

NEW SECTION

WAC 308-120-430 PRESCRIPTIVE AUTHORIZATION PERIOD. (1) Prescriptive authorization shall be effective until the yearly birthdate of the prescriber.

(2) Prescriptive authorization shall not exceed one year.

NEW SECTION

- WAC 308-120-440 RENEWAL. (1) Applicants for renewal shall submit thirty days prior to the birthdate:
- (a) Documentation of ten contact hours of continuing education re-
- lating to pharmacology in the specific area of practice which is:
 (i) derived from sources as stated in WAC 308-120-400(3)(b) but excluding all formal academic study within the applicant's certification program, without exception; and
 - (ii) obtained within the renewal period.
- The board reserves the right to disallow or decrease the amount of credit claimed for any activity, for good cause shown.
- (b) Completed and notarized renewal application with specified nonrefundable fee.
- (2) Authorization shall be approved for renewal annually on birthdate after meeting the requirement (1) above.

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1-06-090	AMD-P	78-06-020	16-230-300	NEW	78-05-042	16-400-235	AMD-P	78-04-092
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1-06-150	REP-P	78-04-057	16-304-100	NEW	78-04-070	16-400-235	AMD-E	78-06-026
1-06-150 1-06-160	REP NEW-P	78–06–011 78–04–057	16-304-110 16-304-120	NEW NEW	78–04–070 78–04–070	16-400-250 16-400-250	AMD-P	78-04-092
1-06-160	NEW	78-06-011	16-304-130	NEW	78-04-070 78-04-070	16-400-250	AMD AMD–E	78-06-025 78-06-026
1-06-App.A	REP-P	78-04-057	16-316-110	AMD	78-03-114	16-400-270	AMD-E	78-04-092
1-06-App.A	REP	78-06-011	16-316-115	AMD	78-03-114	16-400-270	AMD	78-06-025
1-12-930	AMD	78-02-074	16-316-151	AMD	78-03-114	16-400-270	AMD-E	78-06-026
1-12-940	AMD	78-02-074	16-316-165	AMD	78-03-114	16-414-010	NEW-P	78-02-082
1-13-930 1-13-940	AMD AMD	78–02–074 78–02–074	16-316-180 16-316-215	AMD AMD	78–03–114 78–03–102	16-414-010	NEW D	78-04-060
16	-P	78-02-045	16-316-215	AMD	78–03–102 78–03–101	16-414-020 16-414-020	NEW-P NEW	78–02–082 78–04–060
16	_P	78-02-113	16-316-326	AMD	78-03-101	16-414-030	NEW-P	78-02-082
16	−P	78-03-037	16-316-340	AMD	78-03-112	16-414-030	NEW	78-04-060
16	- P	78-03-038	16-316-350	AMD	78-03-112	16-414-040	NEW-P	78-02-082
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16	−P	78-03-044	16-316-530	AMD	78-03-113	16-414-070	NEW-P	78-02-082
16	-P	78-03-045	16-316-620	AMD	78-03-107	16-414-070	NEW	78-04-060
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106-72-140 106-72-150	AMD AMD–P	78-04-009	106-110-901	AMD-P	78-06-120	106-136-670	AMD-P	78-06-120
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106-72-200	AMD-P	78-04-009	106-120-011	AMD-P	78-06-120	106-140-001	AMD-P	78-04-009
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106-72-220	AMD–P AMD	78-04-009 78-08-011°	106-120-020 106-120-030	AMD-P AMD-P	78-06-120 78-06-120	106-140-010	AMD-I	78-08-011c>
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106-72-270	AMD-P	78-04-009	106-120-050	AMD-P	78-06-120	106-140-030	AMD-P	78-04-009
106-72-270	AMD	78-08-011	106-120-051	AMD-P	78-06-120	106-140-030	AMD	78–08–011 <i>∽</i> 78–04–009
106-112-010	AMD-P	78-04-009 78-08-011	106-120-054 106-120-055	REP–P AMD–P	78–06–120 78–06–120	106-140-031 106-140-031	AMD–P AMD	78-08-011 <i>∽</i>
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106-116-202	AMD	78-02-023	106-124-010	AMD-P	78–06–120 78–06–120	106-140-151 106-140-151	AMD–P AMD	78-04-009 78-08-011
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106-116-312	AMD	78-02-023	106-136-605	AMD-P	78-06-120	106-156-010	AMD-P	78-04-009
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106-156-020	AMD	78-08-011 o	106-160-032	AMD	78-08-011	106-276-210	AMD	78-08-011
106-156-022	AMD-P	78-04-009	106-160-035	AMD-P	78-04-009	106-276-220	AMD-P	78-04-009
106-156-022	AMD	78-08-011 □	106-160-035	AMD	78-08-011	106-276-220	AMD	78-08-011°
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106-156-027	AMD	78-08-011 €	106-164-912	AMD	78-08-011	113-12-165	NEW	78-05-052
106-156-030	AMD-P	78-04-009	106-168-001	AMD-P	78-04-009	113-12-170	NEW-P	78-03-086
106-156-030	AMD	78–08–011 ^C	106-168-001	AMD	78-08-011 c	113-12-170	NEW	78-05-052
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106–156–051 106–156–052	AMD AMD–P	78-08-011 [©] 78-04-009	106-168-005	AMD	78-08-011		NEW	78-05-052
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106-160-020 106-160-021	AMD	78-08-011-	106-276-050	AMD	78-08-011	132C-104-045	REP	78-05-001
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106-160-030 106-160-030	AMD-P	78-04-009	106-276-110	AMD-P	78-04-009	132C-122-020	NEW-P	78-05-090
106-160-030	AMD AMD–P	78-08-011 78-04-009	106-276-110	AMD	78-08-011	132C-122-030	NEW-P	78-05-090
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132C-285-010	NEW	78-02-062	132J-12-036	REP-P	78-08-009	132J-12-308	REP-P	78-08-009
132H-104-010	REP-P	78-08-100	132J-12-039	REP-P	78-08-009	132J-12-311 132J-12-314	REP-P	78-08-009 78-08-009
132H-104-020	REP-P REP-P	78-08-100 78-08-100	132J-12-042 132J-12-045	REP-P REP-P	78-08-009 78-08-009	132J-12-314 132J-12-317	REP-P REP-P	78-08-009 78-08-009
132H-104-030 132H-104-040	REP-P	78-08-100 78-08-100	132J-12-048	REP-P	78-08-009	132J-12-320	REP-P	78-08-009
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132H-104-130	REP-P	78-08-100	132J-12-057 132J-12-060	REP-P REP-P	78-08-009 78-08-009	132J-12-329 132J-12-332	REP-P REP-P	78-08-009 78-08-009
132H-104-140 132H-104-150	REP-P REP-P	78-08-100 78-08-100	132J-12-063	REP-P	78-08-009	132J-12-335	REP-P	78-08-009
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132H-105-040 132H-105-050	NEW-P NEW-P	78-08-100 78-08-100	132J-12-078	REP-P	78-08-009	132J-12-350	REP-P	78-08-009
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132H-120-200	AMD–P AMD–P	78–03–022 78–05–062	132J-12-171 132J-12-175	REP-P REP-P	78-08-009 78-08-009	132J-12-366 132J-12-401	REP-P	78-08-009
132H-120-200 132H-120-200	AMD-F	78-07-024	132J-12-177	REP-P	78-08-009	132J-112-900	REP-P	78-08-009
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132H-120-205 132H-160	NEW AMD-P	78–07–024 78–02–021	132J-12-186 132J-12-189	REP-P	78-08-009 78-08-009	132J-112-904	REP-P	78-08-009
132H-160-010	AMD-P	78-05-105	132J-12-192	REP-P	78-08-009	132J-112-905	REP-P	78-08-009
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132H-160-059 132H-160-100	NEW-E REP-P	78-07-005 78-05-105	132J-12-229	REP-P	78-08-009	132J-112-918	REP-P	78-08-009
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132H-160-140 132H-160-140	AMD-F AMD	78-07-026	132J-12-241	REP-P	78-08-009	132J-128-060	AMD	78-06-084
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132H-160-460 132H-160-460	AMD-P AMD	78-05-105 78-07-026	132J-12-251 132J-12-253	REP-P REP-P	78-08-009 78-08-009	132L-20-010	AMD	78-04-043
132H-160-470	AMD-P	78-05-105	132J-12-261	REP-P	78-08-009	132L-20-040	AMD	78-04-043
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132H-160-490 132H-160-490	AMD-P AMD	78-05-105 78-07-026	132J-12-270 132J-12-273	REP-P	78-08-009	132L-20-100	AMD	78-04-043
1321-160-030	AMD-P	78-04-065	132J-12-276	REP-P	78-08-009	132L-20-120	AMD	78-04-043
132J-12-003	REP-P	78-08-009	132J-12-277	REP-P	78-08-009	132L-20-140	AMD AMD	78-04-043 78-04-043
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132J-12-015	REP-P	78-08-009	132J-12-287	REP-P	78-08-009	132L-22-010	AMD	78-04-043
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132J-12-021 132J-12-024	REP-P REP-P	78-08-009 78-08-009	132J-12-293 132J-12-296	REP-P	78-08-009 78-08-009	132L-22-040	AMD	78-04-043
132J-12-027	REP-P	78-08-009	132J-12-299	REP-P	78-08-009	132L-22-050	AMD	78-04-043
132J-12-030	REP-P	78-08-009	132J-12-302	REP~P	78-08-009	132L-22-060	AMD AMD	78-04-043 78-04-043
132J-12-033	REP-P	78–08–009	132J-12-305	REP-P	78–08–009	132L-22-070	AMD	/0-U4-U43

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1227 22 222					·			·
132L-22-080	AMD	78-04-043	139-04-010	AMD	78-02-032	173-14-030	AMD–P	78-04-063
132L-24-010	AMD	78-04-043	139-14-010	NEW	78-02-037	173-14-030	AMD	78–07–011
132L-24-020 132L-24-030	AMD	78-04-043 78-04-043	139-16-010	AMD	78-02-033	173-14-040	AMD-P	78-04-063
132L-24-030 132L-24-040	AMD AMD	78-04-043 78-04-043	139-18-010 13920-010	AMD	78-02-034	173-14-040	AMD	78-07-011
132L-24-050	AMD	78-04-043	139-22-010	AMD AMD	78–02–035 78–02–036	173-14-050	AMD-P	78-04-063
132L-24-060	AMD	78-04-043	142-12-026	NEW-P	78-02-036 78-08-110	173-14-050	AMD	78-07-011
132L-24-070	AMD	78-04-043	162-04-024	NEW	78-02-065	173–14–060 173–14–060	AMD-P AMD	78-04-063 78-07-011
132L-24-080	AMD	78-04-043	162-04-026	NEW	78-02-065	173-14-060	AMD-P	78-07-011 78-04-063
132L-24-090	AMD	78-04-043	162-04-050	NEW	78-02-065	173-14-062	AMD-1	78-07-011
132L-325-010	NEW-P	78-02-071	162-08-024	REP	78-02-065	173-14-064	AMD-P	78-04-063
132L-325-020	NEW-P	78-02-071	162-08-026	REP	78-02-065	173-14-064	AMD	78-07-011
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132M-325-030	NEW	78-04-072	172-114-010	AMD-E	78–03–078	173-11-090	AMD AMD-P	78-07-011
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132N-128-030	AMD-P	78-08-051	172-114-030	AMD-E	78-03-078	173-14-115	AMD~P	78-04-063
132P-104-011	AMD-P	78-02-054	172-114-030	AMD-P	78-04-010	173-14-115	AMD	78-07-011
132P-104-011	AMD	78-05-012	172-114-030	AMD-P	78-06-044	173-14-120	AMD-P	78-04-063
132R-175-090	AMD	78-02-017	172-114-030	AMD-E	78-06-117	173-14-120	AMD	78-07-011
132R-175-150 132R-175-160	AMD NEW	78-02-017	172-114-040	AMD-E	78-03-078	173-14-130	AMD-P	78-04-063
132R-175-App.A	REP	78–02–017 78–02–017	172-114-040 172-114-040	AMD-P	78-04-010	173-14-130	AMD	78-07-011
132S-08-100	AMD-P	78-08-067	172-114-040	AMD-P AMD-E	78–06–044 78–06–117	173-14-140	AMD-P	78-04-063
132S-18-020	AMD-P	78-08-069	172-114-050	AMD-E	78–03–078	173-14-140 173-14-150	AMD AMD–P	78-07-011
132S-170-030	AMD-P	78-08-070	172-114-050	AMD-P	78-04-010	173-14-150	AMD-P AMD	78-04-063 78-07-011
132S-190-010	NEW-P	78-08-068	172-114-050	AMD-P	78-06-044	173-14-160	REP-P	78-04-063
132S-190-020	NEW-P	78-08-068	172-114-050	AMD-E	78-06-117	173-14-160	REP	78-07-011
132S-190-030	NEW-P	78-08-068	172-114-060	AMD-E	78-03-078	173-14-170	AMD-P	78-04-063
132S-190-040	NEW-P	78-08-068	172-114-060	AMD-P	78-04-010	173–14–170	AMD	78-07-011
132S-190-050 132S-190-060	NEW-P NEW-P	78–08–068 78–08–068	172-114-060	AMD-P	78-06-044	173-14-174	NEW-P	78-04-063
132T-104-010	MEW-F	78-07-031	172-114-060 172-114-070	AMD–E AMD–E	78-06-117	173-14-174	NEW	78-07-011
132T-104-020	AMD-P	78–07–031 78–07–031	172-114-070	AMD-E AMD-P	78-03-078 78-04-010	173–14–180 173–14–180	AMD-P	78-04-063
132T-104-030	AMD-P	78-07-031	172-114-070	AMD-P	78-06-044	173-14-180	AMD AMD–P	78–07–011 78–04–063
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132T104080 132T104090		78–07–031 78–07–031	172-114-090	AMD-E	78-06-117	173–24	AMD-P	78-03-018
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132T-104-121	AMD-P	78-07-031	172-150-165	NEW-P	78–03–027	173-24-060	AMD AMD–P	78-04-015 78-02-076
132T-104-130	AMD-P	78–07–031	172-180-010	AMD-P	78-03-028	173-24-060	AMD	78-04-015
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132T-104-210	AMD-P	78-07-031	172-180-020	AMD-P	78-03-028	173-24-070	AMD	78-04-015
132T-104-220	AMD-P	78-07-031	172-180-020	AMD	78-06-006	173-24-080	AMD-P	78-02-076
132T-104-230 132T-104-240	AMD–P AMD–P	78-07-031	172-180-030	AMD-P	78-03-028	173-24-080	AMD	78-04-015
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132T-104-260	AMD-P	78-07-031 78-07-031	172-180-040 172-180-040	AMD–P AMD	78-03-028	173-24-100	AMD	78-04-015
132T-104-270	NEW-P	78-07-031	172-180-040	REP	78–06–006 78–02–041	173-24-110	AMD-P	78-02-076
132T-104-280	AMD-P	78-07-031	173-02-010	NEW	78-02-041 78-02-041	173-24-110 173-24-140	AMD AMD~P	78-04-015
135-10-030	AMD-P	78-06-130	173-03-020	NEW	78-02-041	173-24-140	AMD~P	78–02–076 78–04–015
135-10-030	AMD	78-08-045	173-03-030	NEW	78-02-041	173-24-150	AMD-P	78-02-076
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135-10-040	AMD	78-08-045	173-03-050	NEW	78-02-041	173-124-06001	NEW	78-05-007
136-10-050 136-18-020	AMD-P	78-06-095	173-03-060	NEW	78-02-041	173-164-010	NEW	78-08-026
136-18-020	AMD–P AMD–P	78-06-093	173-03-070	NEW	78-02-041	173–164–020	NEW	78-08-026
136-18-040	AMD-P AMD-P	78–06–093 78–06–093	173-03-080	NEW	78-02-041	173-164-030	NEW	78-08-026
136-18-050	AMD-P	78-06-093 78-06-093	173-03-090 173-03-100	NEW NEW	78-02-041	173-164-040	NEW	78-08-026
136-18-060	AMD-P	78-06-093	173-03-100	AMD-P	78-02-041 78-04-063	173164050 173164060	NEW	78-08-026
136-18-070	AMD-P	78-06-093	173-14-010	AMD-F AMD	78-07-011	173-164-060	NEW NEW	78–08–026 78–08–026
136-32-030	AMD-E	78-05-084	173-14-020	AMD-P	78-04-063	173-166-010	NEW-E	78-08-026 78-02-007
136-32-030	AMD-P	78–06–094	173-14-020	AMD	78-07-011	173-166-010	NEW-P	78-02-077 78-02-077
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WAC #		WSR #	WAC #		wsr #	WAC #		wsr #
173–166–010	NEW	78-04-019	173-800-050	REP-P	78-03-083	173-800-390	REP-P	78-03-083
173-166-020	NEW-E	78-02-007	173-800-050	REP	78-04-090	173-800-390	REP	78-04-090
173-166-020	NEW-P	78–02–077	173-800-060	REP-P	78-03-083	173-800-400	REP-P	78-03-083
173166020	NEW	78-04-019	173-800-060	REP	78-04-090	173-800-400	REP	78-04-090 78-03-083
173–166–030	NEW-E	78-02-007	173-800-070	REP-P REP	78–03–083 78–04–090	173-800-405 173-800-405	REP-P REP	78-04-090
173-166-030	NEW-P	78-02-077 78-04-019	173-800-070 173-800-080	REP-P	78-03-083	173-800-403	REP-P	78-03-083
173-166-030	NEW NEW-E	78-04-019	173-800-080	REP	78-04-090	173-800-410	REP	78-04-090
173-166-040 173-166-040	NEW-P	78-02-077	173-800-090	REP-P	78-03-083	173-800-420	REP-P	78-03-083
173-166-040	NEW	78-04-019	173-800-090	REP	78-04-090	173-800-420	REP	78-04-090
173-166-050	NEW-E	78-02-007	173-800-100	REP-P	78-03-083	173-800-425	REP-P	78-03-083
173-166-050	NEW-P	78-02-077	173-800-100	REP	78-04-090	173-800-425	REP	78-04-090
173-166-050	NEW	78-04-019	173-800-105	REP-P	78-03-083	173-800-440	REP-P	78-03-083 78-04-090
173–166–060	NEW-E	78-02-007	173-800-105 173-800-110	REP REP-P	78-04-090 78-03-083	173-800-440 173-800-442	REP REP-P	78-03-083
173-166-060	NEW-P NEW	78-02-077 78-04-019	173-800-110	REP-P	78-04-090	173-800-442	REP	78-04-090
173–166–060 173–201–010	AMD	78-02-043	173-800-110	REP-P	78-03-083	173-800-444	REP-P	78-03-083
173-201-010	AMD	78-02-043	173-800-120	REP	78-04-090	173-800-444	REP	78-04-090
173-201-025	NEW	78-02-043	173-800-140	REP-P	78-03-083	173-800-450	REP-P	78-03-083
173-201-030	REP	78-02-043	173-800-140	REP	78-04-090	173-800-450	REP	78-04-090
173-201-035	NEW	78-02-043	173-800-145	REP-P	78-03-083	173-800-460	REP-P	78-03-083
173-201-040	REP	78-02-043	173-800-145	REP	78-04-090	173-800-460	REP	78–04–090 78–03–083
173-201-045	NEW	78-02-043	173-800-150 173-800-150	REP-P REP	78–03–083 78–04–090	173-800-465 173-800-465	REP-P REP	78-04-090
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173-201-060 173-201-070	AMD	78-02-043	173-800-160	REP	78-04-090	173-800-470	REP	78-04-090
173-201-070	AMD	78-02-043	173-800-170	REP-P	78-03-083	173-800-480	REP-P	78-03-083
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173-201-110	AMD	78-02-043	173-800-190	REP-P REP	78–03–083 78–04–090	173-800-490 173-800-490	REP-P REP	78–03–083 78–04–090
173-201-120	AMD REP	78-02-043 78-02-043	173-800-190 173-800-200	REP-P	78-04-090 78-03-083	173-800-495	REP-P	78-03-083
173-201-130 173-201-140	AMD	78-02-043 78-02-043	173-800-200	REP	78-04-090	173-800-495	REP	78-04-090
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173-240-030	NEW-P	78-06-124	173-800-220	REP-P	78-03-083	173-800-510	REP-P	78-03-083
173-240-040	NEW-P	78-06-124	173-800-220	REP	78-04-090	173-800-510 173-800-520	REP REP-P	78–04–090 78–03–083
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173-255-050 173-302-165	NEW-P	78-06-128 78-06-127	173-800-320	REP	78-04-090	173-800-600	REP	78-04-090
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173–531 173–800–010	NEW-P REP-P	78–07–070 78–03–083	173-800-343	REP-P	78-03-083	173-800-690	REP-P	78-03-083
173-800-010	REP	78-04-090	173-800-350	REP	78-04-090	173-800-690	REP	78-04-090
173-800-015	REP-P	78-03-083	173-800-355	REP-P	78-03-083	173-800-695	REP-P	78-03-083
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173-800-030	REP-P	78-03-083	173-800-370 173-800-370	REP-P REP	78-03-083 78-04-090	173-800-810	REP-P	78-04-090
173-800-030 173-800-035	REP REP-P	78-04-090 78-03-083	173-800-375	REP-P	78-03-083	173-800-830	REP-P	78-03-083
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173-800-040	REP-P	78-03-083	173-800-380	REP-P	78-03-083	173-800-840	REP-P	78-03-083
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173-801-910 REP 78-04-083 180-75-015 REP 78-04-083 180-75-015 REP 78-04-084 180-75-015 REP 78-07-086	WAC #		WSR #	WAC #		WSR #	WAC #	·*·	WSR #
173-800-910 REP	173-800-910	REP-P	78-03-083	180-56-315	AMD-P	78-04-083	180-79-010	NEW	78-06-070
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173-801-030 NEW_P		NEW-P					180-79-020		78-04-082
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100-75-103 NEW-P /8-04-082	180–16–240	NEW	78–06–097	18079010	NEW-P	78-04-082	180-79-165	NEW-P	78-04-082

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
180-79-170	NEW-P	78-04-082	180-80-510	REP	78-06-063	184-01-030	REP	78-03-023
180-79-170	NEW	78-06-070	180-80-520	REP-P	78-04-086	184-01-035	REP	78-03-023
180-79-175	NEW-P	78-04-082	180-80-520	REP REP-P	78-06-063	184-01-040	REP REP	78-03-023
180-79-175 180-79-180	NEW NEW-P	78–06–070 78–04–082	180-80-522 180-80-522	REP-P REP	78-04-086 78-06-063	184-01-050 184-01-060	REP	78–03–023 78–03–023
180-79-180	NEW-P	78-06-070	180-80-525	REP-P	78-04-086	184-01-070	REP	78–03–023 78–03–023
180-79-185	NEW-P	78-04-082	180-80-525	REP	78-06-063	184-01-07001	REP	78-03-023
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180-79-190	NEW-P	78-04-082	180-80-533	REP	78-06-063	184-03-020	REP	78-03-023
180-79-190	NEW	78-06-070	180-80-535	REP-P	78-04-086	184-03-030	REP	78-03-023
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180-79-200	NEW	78-06-070	180-80-545	REP-P	78-04-086	184-03-070	REP	78-03-023
180-79-205	NEW-P	78-04-082	180-80-545	REP	78-06-063	184-03-080	REP	78-03-023
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180-79-210 180-79-215	NEW NEW-P	78-06-070 78-04-082	180-80-600 180-80-600	REP–P REP	78-04-086 78-06-063	184-03-110 184-03-120	REP REP	78-03-023 78-03-023
180-79-215	NEW	78-06-070	180-80-610	AMD	78-03-013	184-05-010	REP	78-03-023
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180-79-235 180-79-240	REP-P NEW-P	78–07–058 78–04–082	180-80-710 180-80-710	REPP	78–04–086 78–06–063	184-05-060 184-05-070	REP REP	78-03-023 78-03-023
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180-80-195	REP	78-06-063	180-84-010	REP	78-06-062	184-05-150	REP	78-03-023 78-03-023
180-80-200	AMD	78-03-013	180-84-560	REP-P	78-04-087	184-08-010	REP	78-03-023
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180-80-205	AMD-P	78-04-086	180-90-160	AMD	78-06-064	184-08-090	REP	78-03-023
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180-80-217	REP-P REP	78-04-086 78-06-063	180-95-010 180-95-020	NEW NEW	78-03-014 78-03-014	184-08-110 184-08-120	REP REP	78-03-023 78-03-023
180-80-217 180-80-220	REP-P	78-04-086	180-95-030	NEW	78-03-014 78-03-014	184-08-130	REP	78-03-023 78-03-023
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180-80-245	REP-P	78-04-086	180-95-050	NEW	78-03-014	184-08-130	REP	78-03-023
180-80-245	REP	78-06-063	180-95-060	NEW	78-03-014	184-08-160	REP	78-03-023
180-80-247	REP-P	78-04-086 78-06-063	182-08-131	NEW-P	78-04-107	184-08-170	REP	78-03-023
180-80-247 180-80-250	REP REP-P	78-04-086	182-08-131 182-08-160	NEW-P AMD-E	78-06-039 78-02-014	184-08-180 184-08-190	REP REP	78–03–023 78–03–023
180-80-250	REP	78 – 06–063	182-08-160	AMD	78-03-021	184-08-200	REP	78-03-023
180-80-251	REP-P	78-04-086	182-08-170	AMD	78-02-015	184-08-210	REP	78-03-023
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180-80-260	REP	78-06-063	182-12-115	AMD-P	78 – 04–10 7	184-08-275	REP	78-03-023
180-80-265	REP-P	78-04-086	182-12-115	AMD-P	78-06-039	184-08-280	REP	78-03-023
180-80-265	REP D	78-06-063	182-12-115	AMD-E	78-06-105	184-08-290	REP	78-03-023
180-80-275 180-80-275	REP-P REP	78-04-086 78-06-063	182-12-115 182-12-115	AMD–P AMD	78-07-006 78-08-071	184-08-300 184-08-310	REP REP	78-03-023 78-03-023
180-80-273	AMD-P	78-00-003 78-04-086	182-12-113	NEW-P	78-04-107	184-08-320	REP	78–03–023 78–03–023
180-80-280	AMD	78-06-063	182-12-122	NEW-P	78-06-039	184-08-330	REP	78-03-023
180-80-304	REP-P	78-04-086	182-12-122	NEW-E	78-06-105	184-08-340	REP	78-03-023
180-80-304	REP	78-06-063	182-12-122	NEW-P	78-07-006	184-08-350	REP	78-03-023
180-80-305	REP-P REP	78-04-086 78-06-063	182-12-122 182-12-125	NEW REP–P	78-08-071 78-04-107	184-08-360 184-08-370	REP REP	78-03-023 78-03-023
180-80-305 180-80-310	REP-P	78-04-086	184-01-010	REP-P REP	78-04-107 78-03-023	184-08-380	REP	78-03-023 78-03-023
180-80-310	REP	78-06-063	184-01-020	REP	78-03-023	184-08-390	REP	78-03-023
180-80-510	REP-P	78-04-086	184-01-025	REP	78-03-023	184-08-400	REP	78-03-023

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
184-08-410	REP	78-03-023	192-10-120	AMD-P	78-07-077	204–64–040	NEW-P	78-06-107
184-08-420	REP	78-03-023	192-10-260	REP-P	78-07-077	204-64-040	NEW-E	78-08-065
184-08-430	REP REP	78–03–023 78–03–023	192-10-265 192-10-270	NEW-P REP-P	78–07–077 78–07–077	204–64–040 204–64–060	NEW-P	78-08-108
184-08-440 184-08-450	REP	78-03-023 78-03-023	192-10-270	AMD-P	78-07-077 78-07-077	204-64-060	NEW-E NEW-P	78-02-092 78-02-093
184-08-460	REP	78-03-023	192-10-300	AMD-P	78-07-077	204-64-060	NEW-E	78-05-065
184-08-470	REP	78-03-023	192-10-310	AMD-P	78-07-077	204-64-060	NEW-P	78-06-107
184-08-480	REP	78-03-023	192-12-030	AMD-P	78-07-077	204-64-060	NEW-E	78-08-065
184-08-490	REP	78-03-023 78-03-023	192-12-035	NEW-P	78-07-077	204-64-060	NEW-P	78-08-108
184-08-500 184-08-540	REP REP	78-03-023 78-03-023	192-12-050 192-12-070	AMD-P AMD-P	78–07–077 78–07–077	204–64–080 204–64–080	NEW-E NEW-P	78-02-092 78-02-093
184-08-550	REP	78-03-023	192-12-115	NEW-P	78-07-077	204-64-080	NEW-E	78-05-065
184-08-560	REP	78-03-023	192-12-120	REP-P	78–07–077	204-64-080	NEW-P	78-06-107
184-08-570	REP	78-03-023	192-12-150	AMD-P	78-07-077	204-64-080	NEW-E	78-08-065
184-08-580 184-08-590	REP REP	78–03–023 78–03–023	192-14-010 192-14-020	REP-P REP-P	78–07–077 78–07–077	204–64–080 204–64–100	NEW-P NEW-E	78-08-108 78-02-092
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184-12-010	REP	78-03-023	192-14-050	REP-P	78-07-077	204-64-100	NEW-P	78-06-107
184-16-010	REP	78-03-023	192-14-060	REP-P	78-07-077	204-64-100	NEW-E	78-08-065
184-16-020 184-16-030	REP REP	78-03-023 78-03-023	192-14-070 192-14-080	REP-P REPP	78–07–077 78–07–077	204–64–100 204–64–120	NEW-P NEW-E	78-08-108 78-02-092
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184-20-060	REP	78-03-023	192-15-020	NEW-P	78-07-077	204-66-160	AMD	78-08-079
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184-20-090	REP	78-03-023	192-15-050	NEW-P	78–07–077 78–07–077	204–66–170 204–66–180	AMD AMD–P	78–08–079 78–06–107
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184-20-110	REP	78-03-023	192-15-070	NEW-P	78-07-077	212-02-020	AMD-P	78-03-015
184-20-120 184-20-130	REP REP	78–03–023 78–03–023	192-15-080 192-15-090	NEW-P NEW-P	78–07–077 78–07–077	212-02-020 212-02-030	AMD	78-04-076
184-20-140	REP	78-03-023 78-03-023	195-15-100	NEW-P	78-07-077 78-07-077	212-02-030	AMD-P AMD	78–03–015 78–04–076
184-20-App.A	REP	78-03-023	192-15-110	NEW-P	78-07-077	220-20-015	AMD-P	78-03-093
186-12-010	REP	78-03-023	192-15-120	NEW-P	78-07-077	220-20-015	AMD	78-05-067
186-12-050	REP	78-03-023	192-15-130	NEW-P	78-07-077	220-20-01500A	NEW-E	78-05-068
186-12-060 186-12-100	REP REP	78–03–023 78–03–023	192-15-140 192-15-150	NEW-P NEW-P	78–07–077 78–07–077	220–20–01500A 220–22–020	REP-E AMD-P	78-06-108 78-05-099
186-12-110	REP	78-03-023	192-15-160	NEW-P	78-07-077	220-22-020	AMD	78-07-067
186-12-120	REP	78-03-023	192-15-170	NEW-P	78-07-077	220-22-02000A	NEW-E	78-07-028
186-12-200	REP	78-03-023	192-16-001	AMD-P	78-07-077	220-22-02000A	REP-E	78-07-040
186-12-210 186-12-300	REP REP	78–03–023 78–03–023	192-16-002 192-16-003	AMD-P REP-P	78–07–077 78–07–077	220-22-02000B 220-22-030	NEW-E AMD-P	78–07–040 78–03–097
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186-12-330	REP	78-03-023	204-08-010	AMD	78-08-078	220-22-330	AMD-P	78-03-097
186-12-350	REP	78-03-023	204-08-030	AMD-P	78-06-107	220-22-330	AMD	78-05-018
186-12-400 192-09-030	REP AMD-P	78–03–023 78–07–077	204-08-030 204-08-100	AMD AMD-P	78–08–078 78–06–107	220–22–400 220–22–400	AMD-P AMD	7803097
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192-09-135 192-09-230	AMD-P AMD-P	78–07–077 78–07–077	204-44-020	AMD-E	78-08-066	220-24-01000A	REP-E	78-06-108
192-09-230	AMD-P	78-07-077 78-07-077	204-44-020 204-64-010	AMD-P NEW-E	78-08-108 78-02-092	220–24–020 220–24–020	AMD-P AMD	78-03-093 78-05-067
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192-09-405	AMD-P	78-07-077	204-64-010	NEW-E	78-05-065	220-28-004B0E	NEW-E	78-07-009
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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
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220-28-010C0A	NEW-E	7807009	220-40-022	AMD-P	78-07-089	220-56-013	AMD	78-03-034
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220-28-010C0B	NEW-E	78-08-052	220-40-024	AMD-P	78-07-089	220-56-020	AMD AMD	78-03-034 78-03-034
220–28–010D0C 220–28–010D0C	NEW-E REP-E	78-07-009 78-08-052	220 <u>44</u> 020 220 <u>44</u> 020	AMD–P AMD–P	78-02-111 78-03-093	220–56–022 220–56–030	AMD	78-03-034 78-03-034
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220-28-010F0A	NEW-E	78-05-036	220-44-020	AMD	78-06-002	220-56-064	AMD	78-03-034
220-28-010F0A	REP-E	78-07-034	220-44-020	AMD-P	78-08-098	220-56-065	AMD	78-03-034 78-03-034
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220-28-011A0C	NEW-E	78-05-036	220-44-040	NEW-P	78-02-111	220-56-08000C	NEW-E	78-06-055
220-28-011A0C	REP-E	78-07-034	220-44-040	NEW	78-04-039	220-56-08000C	REP-E	78-06-108
220-28-011A0D	NEW-E	78-07-034	220–47–001	AMD-P	78–03–097	220-56-08000D	NEW-E	78–06–108

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
220-56-082	AMD	78-03-034	220-100-060	AMD	78-05-029	232~28~201	NEW-P	78-04-102
220-56-084	AMD	78-03-034	220-100-080	AMD-P	78-03-092	232-28-201	NEW	78-07-085
220-56-08400B	NEW-E	78-05-071	220-100-080	AMD	78-05-029	232-28-300	REP-P	78-04-102
220-56-08400B	REP-E	78-07-041	220-100-100	REP-P	78-03-092	232-28-300	REP	78-07-085
220-56-08400C	NEW-E	78–07–041 78–03–034	220-100-100 220-100-110	REP AMD-P	78-05-029 78-03-092	232–28–301 232–28–301	NEW-P	78-04-102 78-07-085
220-56-086 220-56-088	AMD AMD	78-03-034 78-03-034	220-100-110	AMD-F AMD	78-05-029	232-28-400	NEW REP-P	78-07-083 78-07-084
220-50-088	AMD	78-03-034	220-100-110	NEW-P	78-03-092	232-28-401	NEW-P	78-07-084
220-57-16000A	NEW-E	78-04-055	220-100-120	NEW	78-05-029	232-28-500	REP-P	78-05-104
220-57-17500B	NEW-E	78-06-034	220-105-045	AMD	78-03-034	232-28-501	NEW-P	78-05-104
220-57-200	AMD	78-03-034	220-105-046	NEW	78-03-034	232-28-600	REP-P	78-07-084
220-57-255	AMD	78-03-034	220-105-047	NEW	78-03-034	232-28-601	NEW-P	78-07-084
220-57-270 220-57-27000A	AMD NEW-E	78–03–034 78–08 –00 5	230-02-350 230-02-350	AMD-P AMD	78-01-034 78-03-061	232–28–600000A 232–28–600000A	NEW-E REP-E	78-03-002 78-03-073
220-57-290 220-57-290	AMD	78-03-033 78-03-034	230-02-330	NEW-P	78-04-080	232-28-600000A	NEW-E	78-03-073 78-03-025
220-57-310	AMD	78-03-034	230-02-415	NEW	78-06-066	232-28-600000C	NEW-E	78-03-026
220-57-320	AMD	78-03-034	230-04-060	AMD-P	78-04-080	232-28-600000D	NEW-E	78-03-073
220-57-385	AMD	78-03-034	230-04-060	AMD	78-06-066	232-28-60000E	NEW-E	78-08-095
220-57-44500A	NEW-E	78-07-001	230-04-070	AMD-P	78-04-080	232-28-700	NEW	78-03-087
220-57-460 220-57-46000A	AMD NEW-E	78–03–034 78–06–050	230–04–070 230–04–140	AMD NEW-P	78-06-066	232-28-800	NEW-P	78-02-046
220-57-480 220-57-480	AMD	78-06-030 78-03-034	230-04-140	NEW-P	78–04–080 78–06–066	232-28-800 232-32-101	NEW NEW-E	78-05-057 78-02-026
220-57-49700A	NEW-E	78-06-034	230-04-140	AMD-P	78-06-131	232-32-101	REP-E	78-03-073
220-57-515	AMD	78-03-034	230-04-140	AMD	78-08-055	232-32-102	NEW-E	78-02-027
220-57-51500A	NEW-E	78-07-010	230-04-141	NEW-P	78-04-080	232-32-103	NEW-E	78-02-028
220-57A-005	AMD	78-03-034	230-04-141	NEW	78-06-066	232-32-104	NEW-E	78-02-029
220-57A-010	AMD	78-03-034	230-04-142	NEW-P	78-06-131	232-32-105	NEW-E	78-02-040
220-57A-030 220-57A-040	AMD AMD	78–03–034 78–03–034	230–04–170 230–04–170	AMD-P AMD	78–04–080 78–06–066	232–32–106 232–32–107	NEW-E NEW-E	78-02-044 78-02-047
220-57A-06000A		78-06-004	230-04-170	AMD-P	78-03-082	232-32-107	NEW-E	78-02-047
220-57A-065	AMD	78-03-034	230-04-190	AMD-P	78-04-080	232-32-109	NEW-E	78-03-026
220-57A-080	AMD	78-03-034	230-04-190	AMD	78-05-043	232-32-110	NEW-E	78-03-073
220-57A-095	AMD	78-03-034	230-04-190	AMD	78-06-066	232-32-111	NEW-E	78-04-047
220-57A-115	AMD	78-03-034	230-04-200	AMD-P	78-04-080	232-32-200	REP-E	78-03-020
220-57A-120	AMD	78-03-034	230-04-200	AMD	78-06-066	232-32-300	REP~E	78-03-026
220-57A-125 220-57A-155	AMD AMD	78-03-034 78-03-034	230–04–290 230–04–290	AMD-P AMD	78–04–080 78–06–066	232-32-300A 232-32-300B	REP-E NEW-E	78-02-080 78-02-010
220-57A-185	AMD	78-03-034	230-04-210	AMD-P	78-04-080	232-32-300B 232-32-300B	REP-E	78-02-010
220-57A-190	AMD	78-03-034	230-04-310	AMD	78-06-066	236-10-030	AMD-P	78-06-125
220-69-220	AMD	78-03-031	230-04-332	REP-P	78-04-080	236-10-045	NEW-P	78-06-125
229-69-230	AMD	78-03-031	230-04-332	REP-P	78-06-131	236–12	-P	78-05-005
220-69-231 220-69-232	AMD AMD	78-03-031 78-03-031	230–04–332 230–04–332	AMD-P REP	78-06-131 78-08-055	236-12-001	AMD-P	78-03-091
220-69-233	AMD	78-03-031 78-03-031	230-04-332	NEW-P	78-04-080	236-12-001 236-12-010	AMD AMD–P	78-05-006 78-03-091
220-69-234	AMD	78-03-031	230-04-450	AMD-P	78-04-080	236-12-010	AMD	78-05-006
220-69-235	AMD	78-03-031	230-04-450	AMD	78-06-066	236-12-011	AMD-P	78-03-091
220-69-254	AMD	78-03-031	230-04-452	NEW-P	78-04-080	236-12-011	AMD	78-05-006
220-69-255	AMD	78-03-031	230-04-452	NEW-P	78-06-131	236-12-012	AMD-P	78-03-091
220-69-271 220-69-280	AMD AMD	78-03-031 78-03-031	230-04-452 230-04-455	NEW D	78-08-055	236-12-012	AMD	78-05-006
220-74-010	NEW-P	78-03-031 78-07-088	230-04-455	NEW-P NEW	78-06-131 78-08-055	236-12-013 236-12-013	NEW-P NEW	78-03-091 78-05-006
220-74-015	NEW-P	78-07-088	230-12-080	AMD-P	78-04-080	236-12-020	AMD-P	78-03-006 78-03-091
220-74-020	NEW-P	78-07-088	230-12-080	AMD	78-06-066	236-12-020	AMD	78-05-006
220-74-025	NEW-P	78-07-088	230-25-110	NEW-P	78-01-034	236-12-030	AMD-P	78-03-091
220-85-210	NEW-P	78-07-090	230-25-110	AMD	78-03-061	236-12-030	AMD	78-05-006
220-85-220 220-85-230	NEW-P NEW-P	78–07–090 78–07–090	230–25–220 230–25–220	AMD-P	78-02-102	236-12-040	AMD-P	78-03-091
220-85-240	NEW-P	78-07-090 78-07-090	230-25-220	AMD-E AMD	78–03–063 78–04–032	236-12-040 236-12-050	AMD AMD-P	78-05-006 78-03-091
220-85-250	NEW-P	78-07-090	230-25-260	NEW-P	78-02-102	236-12-050	AMD-F	78-05-006
220-85-260	NEW-P	78-07-090	230-25-260	NEW	78-04-032	236-12-060	AMD-P	78-03-000
220-85-270	NEW-P	78-07-090	230-40-250	AMD-P	78-04-080	236-12-060	AMD	78-05-006
220-85-280	NEW-P	78-07-090	230-40-250	AMD	78-06-066	236-12-061	NEW-P	78-03-091
220-85-290	NEW-P	78-07-090	232-12-065	NEW	78-02-055	236-12-061	NEW	78-05-006
220-85-300 220-85-310	NEW-P NEW-P	78–07–090 78–07–090	232-12-205	NEW-P AMD	78-08-109	236-12-080	AMD-P	78-03-091
220-100-020	AMD-P	78-07-090 78-03-092	232-12-240 232-12-330	REP-P	78-02-055 78-08-109	236-12-080 236-12-085	AMD AMD-E	78-05-006 78-03-090
220-100-020	AMD-I	78-05-029	232-12-350	AMD	78-02-055	236-12-085	AMD-E	78-03-090 78-03-091
220-100-040	AMD-P	78-03-092	232-12-405	NEW	78-02-055	236-12-085	AMD	78-05-006
220-100-040	AMD	78-05-029	232-28-100	REP-P	78-05-104	236-12-090	REP-P	78-03-091
220-100-045	NEW-P	78-03-092	232-28-100	REP	78-08-094	236-12-090	REP	7805006
220-100-045	NEW	78-05-029	232-28-101	NEW-P	78-05-104	236-12-120	AMD-P	78-03-091
220-100-050 220-100-050	AMD-P AMD	78-03-092 78-05-029	232-28-101 232-28-200	NEW REP-P	7808094 7804102	236-12-120 236-12-130	AMD AMD-P	78-05-006 78-03-091
220-100-060	AMD-P	78-03-029 78-03-092	232-28-200	REP-F	78-04-102 78-07-085	236-12-130	AMD-F	78-05-006
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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
236–12–131	NEW-P	78-03-091	248-06-305	AMD	78-08-012	248-15-080	NEW-P	78-06-132
236-12-131	NEW	78-05-006	248-06-340	NEW-P	78-05-109 78-08-012	248-15-080 248-15-090	NEW-P NEW-P	78-08-085 78-06-132
236-12-132	NEW-P NEW	78-03-091 78-05-006	248-06-340 248-06-350	NEW NEW-P	78-05-109	248-15-090	NEW-P	78-08-085
236-12-132 236-12-133	NEW-P	78-03-000	248-06-350	NEW	78-08-012	248-15-100	NEW-P	78-06-132
236-12-133	NEW	78-05-006	248-06-380	AMD-P	78-05-109	248-15-100	NEW-P	78-08-085
236-12-140	AMD-P	78-03-091	248-06-380	AMD NEW-P	78-08-012	248-15-110 248-15-110	NEW-P NEW-P	78-06-132 78-08-085
236-12-140	AMD AMD–P	78-05-006 78-03-091	248-06-410 248-06-410	NEW-P NEW	78-05-109 78-08-012	248-13-110	NEW-P	78-05-107
236-12-220 236-12-220	AMD-F AMD	78-05-006	248-06-420	AMD-P	78-05-109	248-18-202	NEW	78-08-060
236-12-225	AMD-P	78-03-091	248-06-420	AMD	78-08-012	248-18-245	AMD	78-03-058
236-12-225	AMD	78-05-006	248-06-455	NEW-P	78-05-109	248-33-100 248-55	AMD NEW-P	78–03–060 78–03–056
236-12-290	AMD–P AMD	78-03-091 78-05-006	248–06–455 248–06–460	NEW NEW-P	78-08-012 78-05-109	248-55-010	NEW-P	78-03-030 78-08-019
236-12-290 236-12-300	AMD-P	78-03-000	248-06-460	NEW	78-08-012	248-55-020	NEW-P	78-08-019
236-12-300	AMD	7805006	248-06-480	NEW-P	78-05-109	248-55-030	NEW-P	78-08-019
236-12-320	AMD-P	78-03-091	248-06-480 248-06-510	NEW AMD-P	78-08-012 78-05-109	248-55-040 248-55-050	NEW-P NEW-P	78-08-019 78-08-019
236-12-320 236-12-330	AMD REP–P	78-05-006 78-03-091	248-06-510	AMD=F	78-08-012	248-55-060	NEW-P	78-08-019
236-12-330	REP	78-05-006	248-06-550	NEW-P	78-05-109	248-55-070	NEW-P	78-08-019
236-12-340	NEW-P	78-03-091	248-06-550	NEW	78-08-012	248-55-080	NEW-P NEW-P	78-08-019 78-08-019
236-12-340	NEW	78-05-006 78-03-091	248–06–600 248–06–600	NEW-P NEW	78-05-109 78-08-012	248-55-090 248-55-100	NEW-P NEW-P	78-08-019 78-08-019
236-12-410 236-12-410	REP-P REP	78-03-091 78-05-006	248-06-700	AMD-P	78-05-109	248-55-110	NEW-P	78-08-019
236-12-420	REP-P	78-03-091	248-06-700	AMD	78-08-012	248-55-120	NEW-P	78-08-019
236-12-420	REP	78-05-006	248-06-810	AMD-P	78-05-109	248-55-130	NEW-P NEW-P	78-08-019 78-05-093
236-12-440	AMD-P	78-03-091 78-05-006	248-06-810 248-06-815	AMD NEW-P	78-08-012 78-05-109	248-56-100 248-56-100	NEW-P NEW	78-03-093 78-07-048
236-12-440 236-12-500	AMD NEW-P	78-03-006 78-03-091	248-06-815	NEW-F	78-08-012	248-56-200	NEW-P	78-05-093
236-12-500	NEW	78-05-006	248-06-820	AMD-P	78-05-109	248-56-200	NEW	78-07-048
236-12-600	NEW-P	78-03-091	248-06-820	AMD	78-08-012	248-56-300 248-56-300	NEW-P NEW	78–05–093 78–07–048
236-12-600	NEW	78-05-006 78-07-068	248-06-830 248-06-830	REP-P REP	78-05-109 78-08-012	248-56-310	NEW-P	78-05-093
236-16-010 236-16-060	AMD-P AMD-P	78-07-068 78-07-068	248-06-831	NEW-P	78-05-109	248-56-310	NEW	78-07-048
236-32-001	REP-P	78-08-081	248-06-831	NEW	78-08-012	248-56-400	NEW-P	78-05-093
236-32-010	REP-P	78-08-081	248-06-833	NEW-P NEW	78-05-109 78-08-012	248-56-400 248-56-500	NEW NEW-P	78–07–048 78–05–093
236-32-020 236-32-030	REP-P REP-P	78-08-081 78-08-081	248-06-833 248-14	AMD-P	78-08-012 78-07-079	248-56-500	NEW	78-07-048
236-32-040	REP-P	78-08-081	248-14-001	AMD-P	78-03-124	248-56-510	NEW-P	78-05-093
236-32-050	REP-P	78-08-081	248-14-001	AMD-P	78-05-106	248-56-510	NEW NEW-P	78–07–048 78–05–093
236-32-060	REP-P	78-08-081	248-14-230 248-14-230	AMD–P AMD–P	78–01–036 78–03–124	248-56-600 248-56-600	NEW-P	78-03-093 78-07-048
236-32-070 236-32-080	REP–P REP–P	78-08-081 78-08-081	248-14-230	AMD-P	78-05-106	248-56-610	NEW-P	78-05-093
236-32-100	REP-P	78-08-081	248-14-240	AMD-P	78-01-036	248-56-610	NEW	78-07-048
236-49-050	REP	78-02-060	248-14-240	AMD-P	78-03-124	248-56-620 248-56-620	NEW-P NEW	78–05–093 78–07–048
236-60-001	NEW NEW	78–02–066 78–02–066	248-14-240 248-14-245	AMD-P NEW-P	78-05-106 78-03-124	248-56-630	NEW-P	78–05–093
236–60–005 236–60–010	NEW	78-02-066	248-14-245	NEW-P	78-05-106	248-56-630	NEW	78-07-048
236-60-020	NEW	78-02-066	248-14-250	AMD-P	78-03-124	248-56-640	NEW-P	78-05-093
236-60-030	NEW	78-02-066	248-14-250	AMD-P NEW-P	78-05-106 78-03-124	248-56-640 248-56-700	NEW NEW-P	78-07-048 78-05-093
236–60–040 236–60–050	NEW NEW	78-02-066 78-02-066	248-14-255 248-14-255	NEW-P	78-05-106	248-56-700	NEW	78-07-048
236-60-060	NEW	78-02-066	248-14-260	AMD-P	78-03-124	248-56-710	NEW-P	78-05-093
236-60-070	NEW	78-02-066	248-14-260	AMD-P	78-05-106	248-56-710	NEW D	78–07–048 78–05–093
236–60–080	NEW	78–02–066 78–02–066	248-14-265 248-14-270	NEW-P AMD-P	78-01-036 78-01-036	248-56-720 248-56-720	NEW-P NEW	78-03-093 78-07-048
236–60–090 236–60–100	NEW NEW	78-02-066 78-02-066	248-14-270	AMD-P	78-03-124	248-56-730	NEW-P	78-05-093
248-06-040	AMD-P	78-05-109	248-14-270	AMD-P	78-05-106	248-56-730	NEW	78-07-048
248-06-040	AMD	78-08-012	248-14-401	NEW-P	78-03-124	248-56-740	NEW-P NEW	78–05–093 78–07–048
248-06-055	AMD-P	78-05-109 78-08-012	248-14-401 248-15-010	NEW-P NEW-P	78-05-106 78-06-132	248-56-740 248-56-750	NEW-P	78-05-093
248-06-055 248-06-100	AMD AMD-P	78-05-109	248-15-010	NEW-P	78-08-085	248-56-750	NEW	78-07-048
248-06-100	AMD	78-08-012	248-15-020	NEW-P	78-06-132	248-56-760	NEW-P	78-05-093
248-06-174	NEW-P	78-05-109	248-15-020	NEW-P	78-08-085	248-56-760 248-56-800	NEW NEW-P	78–07–048 78–05–093
248-06-174	NEW AMD-P	78-08-012 78-05-109	248-15-030 248-15-030	NEW-P NEW-P	78-06-132 78-08-085	248-56-800	NEW	78-07-048
248-06-175 248-06-175	AMD-P AMD	78-08-012	248-15-040	NEW-P	78-06-132	248-56-810	NEW-P	78-05-093
248-06-176	AMD-P	78-05-109	248-15-040	NEW-P	78-08-085	248-56-810	NEW D	78-07-048
248-06-176	AMD	78-08-012	248-15-050 248-15-050	NEW-P NEW-P	78–06–132 78–08–085	248-56-900 248-56-900	NEW-P NEW	78–05–093 78–07–048
248-06-180 248-06-180	AMD-P AMD	78-05-109 78-08-012	248-15-060	NEW-P	78-06-132	248-58-001	AMD-P	78-05-108
248-06-203	AMD-P	78-05-109	248-15-060	NEW-P	78-08-085	248-58-001	AMD	78-08-059
248-06-203	AMD	78-08-012	248-15-070	NEW-P	78-06-132 78-08-085	248-58-005 248-58-005	NEW-P NEW	78-05-108 78-08-059
248–06–305	AMD-P	78–05–109	248-15-070	NEW-P	10-00-003	1 240-30-003	1454	70 00-057

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
248-58-010	AMD-P	78-05-108	248-61-080	REP-P	78-03-122	251-08-112	AMD	78-06-068
248-58-010 248-58-020	AMD AMD–P	78-08-059 78-05-108	248-61-090 248-61-100	REP-P REP-P	78-03-122 78-03-122	251-09-025	AMD-P	78-04-100
248-58-020 248-58-020	AMD-P AMD	78-08-059	248-61-110	REP-P	78-03-122 78-03-122	251–09–030 251–09–030	AMD–P AMD	78-04-100 78-06-068
248-58-030	AMD-P	78-05-108	248-61-120	REP-P	78-03-122	251-09-090	AMD-P	78-04-100
248-58-030	AMD	78-08-059	248-61-130	REP-P	78-03-122	251-09-090	AMD-E	78-05-058
248-58-040	AMD-P	78-05-108	248-61-140	REP-P	78-03-122	251-09-090	AMD	78-06-068
248-58-040	AMD	78-08-059	248-61-150	REP-P	78-03-122	251-10-055	AMD-P	78-04-100
248-58-050	AMD-P AMD	78–05–108 78–08–059	248-61-160 248-61-170	REP-P REP-P	78-03-122 78-03-122	251-10-055	AMD	78-06-068
248-58-050 248-58-060	AMD-P	78-05-108	248-61-180	REP-P	78-03-122 78-03-122	251-10-060 251-10-140	AMD–P AMD–P	78-08-062 78-04-100
248-58-060	AMD	78-08-059	248-100-450	AMD	78-03-059	251-10-140	AMD	78-06-068
248-58-070	AMD-P	78-05-108	248-102-030	REPP	78-07-081	251-12-095	NEW-P	78-04-100
248-58-070	AMD	78-08-059	248-102-040	REP-P	78-07-081	251-12-095	NEW	78-06-068
248-58-080 248-58-080	AMD–P AMD	78-05-108 78-08-059	248-102-050 248-102-060	REP-P REP-P	78–07–081	251-12-240	AMD-P	78-04-100
248-58-090	AMD-P	78-05-108	248-102-060	REP-P	78-07-081 78-07-082	251-12-240 251-14-040	AMD AMD-P	78–06–068 78–03–098
248-58-090	AMD	78-08-059	248-116-020	REP-P	78-07-082	251-14-040	AMD-P	78-05-059
248-58-100	REP-P	78-05-108	248-116-030	REP-P	78-07-082	251-14-040	AMD-P	78-06-067
248-58-100	REP	78-08-059	248-116-040	REP-P	78-07-082	251-14-040	AMD	78–07–072
248-58-110 248-58-110	REP-P REP	78-05-108 78-08-059	248-116-050 248-116-060	REP-P REP-P	78-07-082	251-14-080	AMD-P	78-03-098
248-58-120	REP-P	78-05-108	248-116-900	REP-P	78-07-082 78-07-082	251-14-080 251-18-030	AMD AMD–P	78-05-060 78-04-100
248-58-120	REP	78-08-059	248-116-901	REP-P	78-07-082	251-18-030	AMD	78-06-068
248-58-130	REP-P	78-05-108	248-116-902	REP-P	78-07-082	251-18-070	AMD	78-02-094
248-58-130	REP	78-08-059	248-116-903	REP-P	78-07-082	251-18-110	AMD	78-02-094
248-58-140 248-58-140	REP-P REP	78-05-108 78-08-059	248-116-904 248-120	REP-P REP-P	78–07–082 78–07–080	251-18-115	AMD	78-02-094
248-58-150	REPP	78-05-108	248-120	REP-P REP-P	78-06-009	251-18-130 251-18-140	AMD–P AMD	78–08–062 78–02–094
248-58-150	REP	78-08-059	248-136-110	REP	78-08-086	251-18-140	AMD-P	78-04-100
248-58-160	REP-P	78-05-108	248-136-120	REP-P	78-06-009	251-18-140	AMD	78-06-068
248-58-160	REP	78-08-059	248-136-120	REP	78-08-086	251-18-160	AMD-P	78-04-100
248-58-170 248-58-170	REPP REP	78-05-108 78-08-059	248-136-130 248-136-130	REPP REP	78–06–009 78–08–086	251-18-160	AMD	78-06-068
248-58-180	REP-P	78-05-108	248-136-140	REP-P	78-06-009	251–18–176 251–18–176	AMD–P AMD	78–04–100 78–06–068
248-58-180	REP	78-08-059	248-136-140	REP	78-08-086	251-18-181	AMD	78-02-094
248-58-190	REP-P	78-05-108	248-136-150	REP-P	78-06-009	251-18-181	AMD-P	78-04-100
248-58-190 248-58-200	REP REP-P	78-08-059	248-136-150	REP	78-08-086	251-18-181	AMD	78-06-068
248-58-200	REP-P	78–05–108 78–08–059	248-136-160 248-136-160	REP-P REP	78–06–009 78–08–086	251–18–230 251–18–240	AMD AMD	78–02–094 78–02–094
248-58-210	REP-P	78-05-108	248-136-170	REP-P	78-06-009	251-18-260	AMD-P	78-04-100
248-58-210	REP	78-08-059	248-136-170	REP	78-08-086	251-18-260	AMD	78-06-068
248-58-220	REP-P	78-05-108	248-136-180	REP-P	78-06-009	251-18-330	AMD	78-02-094
248-58-220 248-58-500	REP NEW-P	78-08-059 78-05-108	248-136-180 248-136-990	REP REP–P	78–08–086 78–06–009	251-18-340	AMD NEW-P	78-02-094
248-58-500	NEW	78–08–059	248-136-990	REP-F	78-08-086	251-20-010 251-20-010	NEW-P NEW	78–04–100 78–06–068
248-58-900	NEW-P	78-05-108	248-136-App.A	REP-P	78-06-009	251-20-020	NEW-P	78-04-100
248-58-900	NEW	78-08-059	248-136-App.A	REP	78-08-086	251-20-020	NEW	78-06-068
248-60A-010	REP-P	78-03-123	248-148-020	AMD	78-06-085	251-20-030	NEW-P	78-04-100
248-60A-020 248-60A-030	REP-P REP-P	78-03-123 78-03-123	250–16–001 250–16–010	NEW AMD	78-05-023 78-05-023	251-20-030 251-20-040	NEW NEW-P	78–06–068 78–04–100
248-60A-040	REP-P	78-03-123	250–16–020	AMD	78-05-023	251-20-040	NEW	78-06-068
248-60A-050	REP-P	78-03-123	250-16-030	AMD	78-05-023	251-20-050	NEW-P	78-04-100
248-60A-060	REP-P	78-03-123	250–16–040	AMD	78-05-023	251-20-050	NEW	78-06-068
248–60A–070 248–60A–080	REP-P REP-P	78-03-123 78-03-123	250–16–050 250–20–021	AMD AMD–P	78-05-023 78-02-085	251-20-060	NEW-P	78-04-100
248-60A-090	REP-P	78-03-123	250-20-021	AMD-P	78-05-063	251–20–060 251–22–200	NEW AMD-P	78–06–068 78–04–100
248-60A-100	REP-P	78-03-123	250-40-050	AMD-P	78-02-084	251-22-200	AMD	78-06-068
248-60A-110	REP-P	78-03-123	250-40-050	AMD-P	78-05-056	252-09-010	AMD-P	78-05-032
248-60A-120 248-60A-130	REP-P REP-P	78-03-123 78-03-123	250-40-050	AMD-P	78-06-015	252-09-010	AMD	78-07-083
248-60A-140	REP-P	78-03-123 78-03-123	250–40–050 251–04–020	AMD AMD–P	78–08–007 78–04–100	252-09-020 252-09-020	AMD–P AMD	78–05–032 78–07–083
248-60A-150	REP-P	78-03-123	251-04-020	AMD	78-06-068	252-09-025	AMD-P	78–05–032
248-60A-160	REP-P	78-03-123	251-04-040	AMD-P	78-08-062	252-09-025	AMD	78-07-083
248-60A-170	REP-P	78-03-123	251-06-060	AMD-P	78-03-098	252-09-040	AMD-P	78-05-032
248-61-001 248-61-010	REP-P REP-P	78-03-122 78-03-122	251–06–060 251–06–065	AMD AMD–P	78–05–060 78–04–100	252-09-040	AMD	78-07-083
248-61-015	REP-P	78-03-122 78-03-122	251-06-065	AMD-P	78-04-100 78-04-100	252–09–055 252–09–055	AMD–P AMD	78-05-032 78-07-083
248-61-020	REP-P	78-03-122	251-06-070	AMD	78-06-068	252-09-060	AMD-P	78-07-083 78-05-032
248-61-030	REP-P	78-03-122	251-06-080	AMD-P	78-08-062	252-09-060	AMD	78-07-083
248-61-040 248-61-050	REP-P	78-03-122	251-08-100	AMD-P	78-04-100	252-09-170	AMD-P	78-05-032
248-61-050 248-61-060	REP-P REP-P	78-03-122 78-03-122	251–08–100 251–08–110	AMD AMD–P	78–06–068 78–04–100	252-09-170 -252-09-180	AMD AMD–P	78-07-083
248-61-070	REP-P	78–03–122 78–03–122	251-08-110	AMD-P	78-04-100 78-04-100	252-09-180	AMD-P AMD	78-05-032 78-07-083
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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
252-09-185	AMD-P	78-05-032	275–14–080	REP	78-08-086	275-18-190	NEW-P	78-06-009
252-09-185	AMD	78-07-083	275-14-090	REP-P	78-06-009	275-18-190	NEW	78-08-086
252-09-205	REP-P	78-05-032	275–14–090	REP	78-08-086	275-18-200	NEW-P	78-06-009
252-09-205	REP	78-07-083	275-14-100	REP-P	78-06-009	275-18-200	NEW	78–08–086 78–03–029
252-09-520	AMD-P	78-05-032	275–14–100 275–14–110	REP REP-P	78-08-086 78-06-009	275–20–010 275–20–020	AMD REP	78–03–029 78–03–029
252-09-520	AMD AMD–P	78-07-083 78-05-032	275-14-110	REP-F	78-08-086	275-20-020	AMD	78-03-029
252-09-550 252-09-550	AMD-P AMD	78-07-083	275-14-110	REP-P	78-06-009	275–20–030	AMD-E	78-08-096
252-09-820	AMD-P	78-05-032	275-14-120	REP	78-08-086	275-20-030	AMD-P	78-08-097
252-09-820	AMD	78-07-083	275-14-130	REP-P	78-06-009	275–20–035	NEW	78-03-029
252-09-830	REP-P	78-05-032	275-14-130	REP	78-08-086	275-20-040	REP REP	78–03–029 78–03–029
252-09-830	REP	78-07-083	275-14-140	REP-P REP	78-06-009 78-08-086	275-20-050 275-20-060	REP	78–03–029 78–03–029
252-09-990	AMD-P	78-05-032 78-07-083	275-14-140 275-14-150	REP-P	78-06-009	275-20-000	REP	78-03-029
252-09-990 252-20-040	AMD AMD–P	78-04-051	275-14-150	REP	78-08-086	275-25-010	AMD-P	78-06-009
252-20-040	AMD-E	78-05-033	275-14-160	REP-P	78-06-009	275-25-010	AMD	78-08-086
252-20-040	AMD-E	78-06-041	275-14-160	REP	78-08-086	275–25–020	AMD-P	78-06-009
252-20-040	AMD	78-06-059	275-14-170	REP-P	78-06-009	275-25-020	AMD	78–08–086 78–01–037
252-20-040	AMD-E	78-06-089	275-14-170	REP REP-P	78-08-086 78-06-009	275–25–510 275–25–510	REP-P REP	78-01-037 78-04-002
252-24-150	AMD–P AMD–P	78-06-061 78-06-060	275–14–180 275–14–180	REP-F	78-08-086	275-25-510	AMD-P	78-01-037
252-24-312 252-32-011	AMD-P	78-00-000	275-14-190	REP-P	78-06-009	275-25-520	AMD	78-04-002
252-32-011	AMD	78-07-049	275-14-190	REP	78-08-086	275-25-525	REP-P	78-01-037
252-32-002	AMD-P	78-02-088	275-14-200	REP-P	78-06-009	275-25-525	REP	78-04-002
252-32-002	AMD	78-04-052	275–14–200	REP	78-08-086	275-25-700	AMD-P AMD	78–06–009 78–08–086
252-32-539	AMD	78-02-078	275-14-210	REP-P	78–06–009 78–08–086	275–25–700 275–25–720	AMD-P	78-06-009
252-50-010	AMD-P	78–06–090 78–08–038	275–14–210 275–16–010	REP AMD	78-03-029	275-25-720	AMD-I AMD	78-08-086
252-50-010 252-50-020	AMD AMD–P	78-06-090	275-16-020	REP	78-03-029	275-25-730	AMD-P	78-06-009
252-50-020	AMD	78-08-038	275-16-030	AMD	78-03-029	275-25-730	AMD	78-08-086
252-50-030	AMD-P	78-06-090	275–16–040	AMD	78-03-029	275–25–750	AMD-P	78-06-009
252-50-030	AMD	78-08-038	275–16–045	NEW	78-03-029	275-25-750	AMD AMD–P	78–08–086 78–06–009
252-300	_	78-06-040	275–16–050	REP REP	78–03–029 78–03–029	275–25–770 275–25–770	AMD-P AMD	78-08-086
252-990	–P AMD	78-05-034 78-07-050	275–16–060 275–16–070	REP	78–03–029 78–03–029	275-25-800	NEW-P	78-06-009
252–990 252–990	AMD-P	78-07-030 78-07-075	275–16–080	REP	78-03-029	275-25-800	NEW	78-08-086
260-40-100	AMD-P	78-06-092	275-16-090	REP	78-03-029	275-25-810	NEW-P	78-06-009
260-40-100	AMD	78-08-089	275–16–100	REP	78-03-029	275-25-810	NEW	78-08-086
260-70-010	AMD-P	78-03-095	275-18-010	NEW-P	78-06-009	275–25–820 275–25–820	NEW-P NEW	78–06–009 78–08–086
260-70-020	AMD-P	78–03–095 78–06–001	275–18–010 275–18–020	NEW NEW-P	78–08–086 78–06–009	275-25-830	NEW-P	78-06-009
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260-70-050	AMD	78-06-001	275-18-030	NEW-P	78-06-009	275-25-840	NEW-P	78-06-009
260-70-060	AMD-P	78-03-095	275-18-030	NEW	78-08-086	275-25-840	NEW	78-08-086
260-70-060	AMD	78-06-001	275-18-040	NEW-P	78-06-009	275-27-020	AMD–P AMD	78–01–039 78–04–033
260-70-070	AMD-P	78-03-095	275-18-040	NEW NEW-P	78–08–086 78–06–009	275–27–020 275–27–040	AMD-P	78-01-039
260-70-070	AMD AMD-P	78-06-001 78-03-095	275–18–050 275–18–050	NEW-F	78-08-086	275-27-040	AMD	78-04-033
260-70-080 260-70-080	AMD-F AMD	78–05–093 78–06–001	275-18-060	NEW-P	78-06-009	275-27-050	AMD-P	78-01-039
260-70-090	AMD-P	78-03-095	275-18-060	NEW	78-08-086	275-27-050	AMD	78-04-033
260-70-170	AMD-P	78-03-095	275-18-070	NEW-P	78-06-009	275-27-060	AMD-P	78-01-039
260-70-170	AMD	78-06-001	275-18-070	NEW D	78–08–086 78–06–009	275–27–060 275–27–230	AMD AMD-P	78–04–033 78–01–039
260-70-200	AMD-P	78-03-095	275-18-080 275-18-080	NEW-P NEW	78-08-086	275-27-230	AMD-1	78-04-033
260-70-200 260-70-220	AMD AMD–P	78-06-001 78-03-095	275-18-090	NEW-P	78-06-009	275-27-300	NEW-P	78-01-039
275-14-010	REP-P	78-06-009	275-18-090	NEW	78-08-086	275-27-300	NEW	78-04-033
275-14-010	REP	78-08-086	275-18-100	NEW-P	78-06-009	275-27-310	NEW-P	78-01-039
275-14-020	REP-P	78-06-009	275-18-100	NEW	78-08-086	275-27-310	NEW NEW-P	78-04-033 78-01-039
275-14-020	REP	78-08-086	275-18-110	NEW-P NEW	78-06-009 78-08-086	275–27–320 275–27–320	NEW-P	78-01-039
275-14-030	REP-P	78–06–009 78–08–086	275-18-110 275-18-120	NEW-P	78-06-009	275-27-400	AMD-P	78-01-039
275-14-030 275-14-035	REP REP-P	78-06-009	275-18-120	NEW	78-08-086	275-27-400	AMD	78-04-033
275-14-035 275-14-035	REP	78-08-086	275-18-130	NEW-P	78-06-009	275-27-500	AMD-P	78-01-039
275-14-040	REP-P	78-06-009	275-18-130	NEW	78-08-086	275-27-500	AMD	78-04-033
275-14-040	REP	78-08-086	275-18-140	NEW-P	78-06-009	275-27-600	NEW-P NEW	78–01–038 78–04–003
275-14-050	REP-P	78-06-009	275-18-140	NEW NEW-P	78–08–086 78–06–009	275–27–600 275–27–605	NEW-P	78-01-038
275-14-050	REP	78–08–086 78–06–009	275–18–150 275–18–150	NEW-P NEW	78-08-086	275-27-605	NEW	78-04-003
275-14-055 275-14-055	REP-P REP	78-08-086	275-18-160	NEW-P	78-06-009	275-27-610	NEW-P	78-01-038
275-14-055 275-14-060	REP-P	78-06-009	275-18-160	NEW	78-08-086	275–27–610	NEW	78-04-003
275-14-060	REP .	78-08-086	275-18-170	NEW-P	78-06-009	275–27–615	NEW-P	78-01-038
275-14-070	REP-P	78-06-009	275-18-170	NEW B	78-08-086	275–27–615 275–27–620	NEW NEW-P	78–04–003 78–01–038
275-14-070	REP	78-08-086	275-18-180 275-18-180	NEW-P NEW	78–06–009 78–08–086	275-27-620	NEW-P	78-04-003
275-14-080	REP-P	78–06–009	213-10-100	14T AA	70-00-000	1 2.3 21 020		

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
275–27–630	NEW-P	78-01-038	284–50–460	NEW-P	78-03-077	289-24-040	NEW-P	78-08-074
275-27-630	NEW	78-04-003	284-50-460	NEW	78-05-039	289-24-050	NEW-P	78-08-074
275–27–635	NEW-P	78-01-038	284-50-460	AMD-P	78-06-071	296-04-160	AMD-P	78-06-012
275–27–635 275–27–640	NEW NEW-P	78-04-003 78-01-038	284-50-460 284-50-465	AMD NEW-P	78-08-024	296-04-165	NEW-P	78-06-012
275-27-640 275-27-640	NEW-P	78-01-038 78-04-003	284-50-465 284-50-465	NEW-P NEW	78–03–077 78–05–039	296-04-275 296-11-001	NEW-P	78-06-012
275–27–660	NEW-P	78-01-038	286-04-020	AMD	78-03-032	296-11-001	AMD-P NEW-P	78-07-032 78-07-032
275-27-660	NEW	78-04-003	286-04-060	NEW-P	78-02-101	296-24-020	AMD-P	78-04-079
275-27-665	NEW-P	78-01-038	286-04-060	NEW	78-03-032	296-24-040	AMD-P	78-04-079
275–27–665	NEW	78-04-003	286-06-020	AMD	78-03-032	296-24-045	NEW-P	78-04-079
275–27–680 275–27–680	NEW-P NEW	78–01–038 78–04–003	286–06–040 286–06–060	AMD AMD	78-03-032 78-03-032	296-24-060	AMD-P	78-04-079
275-27-685	NEW-P	78-01-038	286-06-140	AMD	78-03-032 78-03-032	296–24–955 296–27–010	AMD-P AMD-E	78–04–079 78–04–078
275-27-685	NEW	78-04-003	286-16-010	AMD	78-03-032	296-27-010	AMD-P	78-04-079
275-32-115	NEW	78-03-030	286-16-020	AMD	78-03-032	296-27-010	AMD	78-07-052
275-32-125	NEW	78-03-030	286-16-030	AMD	78-03-032	296–27–020	AMD-E	78-04-078
275-32-135 275-32-145	NEW NEW	78–03–030 78–03–030	286-16-040 286-16-070	AMD AMD	78-03-032 78-03-032	296–27–020 296–27–020	AMD-P	78-04-079
275-32-145	NEW	78-03-030	286-16-080	AMD	78-03-032 78-03-032	296-27-020	AMD AMD–E	78–07–052 78–04–078
275-32-165	NEW	78-03-030	286-20-010	AMD	78-03-032	296-27-030	AMD-P	78-04-079
275-32-175	NEW	78-03-030	286-20-030	REP	78-03-032	296-27-030	AMD	78-07-052
275-34-010	NEW-P	78-03-117	286-24-010	AMD	78-03-032	296-27-050	AMD-E	78-04-078
275-34-010 275-34-020	NEW NEW-P	78–05–020 78–03–117	286-24-020 286-24-040	AMD AMD	78–03–032 78–03–032	296-27-050	AMD-P	78-04-079
275-34-020	NEW	78–05–020	286-26-010	AMD	78-03-032 78-03-032	296–27–050 296–27–060	AMD AMD–E	78-07-052 78-04-078
275-34-030	NEW-P	78-03-117	286-26-020	AMD	78-03-032	296-27-060	AMD-P	78-04-079
275-34-030	NEW	78-05-020	286-26-030	AMD	78-03-032	296-27-060	AMD	78-07-052
275-34-040	NEW-P	78-03-117	286–26–040	AMD	78-03-032	296–27–077	NEW-E	78-04-078
275–34–040 275–34–050	NEW NEW-P	78-05-020 78-03-117	286–26–050 286–26–060	REP AMD	78-03-032 78-03-032	296–27–077	NEW-P	78-04-079
275-34-050	NEW-F	78–05–117 78–05–020	286-26-070	AMD	78-03-032 78-03-032	296–27–077 296–27–120	NEW AMD–E	78–07–052 78–04–078
275-34-060	NEW-P	78-03-117	289-02-010	NEW-P	78-08-074	296-27-120	AMD-P	78-04-078 78-04-079
275-34-060	NEW	78-05-020	289-02-020	NEW-P	78-08-074	296-27-120	AMD	78-07-052
275-34-070	NEW-P	78-03-117	289-04-010	NEW-P	78-06-077	296–27–140	AMD-E	78-04-078
275–34–070 275–34–080	NEW NEW-P	78-05-020 78-03-117	289-04-020 289-04-030	NEW-P NEW-P	78–06–077 78–06–077	296-27-140 296-27-140	AMD-P	78-04-079
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275-34-090	NEW-P	78-03-117	289-06-010	NEW-P	78-06-077	296-27-150	AMD-P	78-04-079
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275–34–100 275–34–100	NEW-P NEW	78-03-117	289-06-030	NEW-P	78-06-077	296–37–010	REP-P	78-04-079
275-34-100	NEW-P	78–05–020 78–03–117	289-06-040 289-06-050	NEW-P NEW-P	78–06–077 78–06–077	296–37–010 296–37–020	REP-E REP-P	78–06–016 78–04–079
275-82-015	AMD-P	78-08-018	289-06-060	NEW-P	78-06-077	296-37-020	REP-E	78-06-016
275-82-025	AMD-P	78-08-018	289-06-070	NEW-P	78-06-077	296-37-030	REP-P	78-04-079
275-82-030	AMD-P	78-08-018	289-06-080	NEW-P	78-06-077	296-37-030	REP-E	78-06-016
275–34–110 284–30–300	NEW NEW-P	78–05–020 78–06–028	289-06-090 289-06-100	NEW-P NEW-P	78–06–077 78–06–077	296–37–040 296–37–040	REP-P	78-04-079
284-30-300	NEW	78-08-082	289-12-010	NEW-P	78–08–077 78–08–074	296-37-050	REP–E REP–P	78-06-016 78-04-079
284-30-310	NEW-P	78-06-028	289-12-020	NEW-P	78-08-074	296-37-050	REP-E	78-06-016
284-30-310	NEW	78-08-082	289-12-030	NEW-P	78-08-074	296-37-060	REP-P	78-04-079
284-30-320 284-30-320	NEW-P NEW	78–06–028 78–08–082	289-12-040 289-14-005	NEW-P NEW-P	78–08–074 78–08–074	296–37–060 296–37–070	REP-E	78-06-016
284-30-320	NEW-P	78-06-028	289-14-010	NEW-P	78-08-074 78-08-074	296-37-070	REP–P REP–E	78-04-079 78-06-016
284-30-330	NEW	78-08-082	289-14-020	NEW-P	78-08-074	296-37-071	REP-P	78-04-079
284-30-340	NEW-P	78-06-028	289-14-030	NEW-P	78-08-074	296-37-071	REP-E	78-06-016
284-30-340	NEW	78-08-082	289-16-010	NEW-P	78-08-074	296-37-072	REP-P	78-04-079
284-30-350 284-30-350	NEW-P NEW	78-06-028 78-08-082	289-16-020 289-16-030	NEW-P NEW-P	78-08-074 78-08-074	296–37–072 296–37–080	REP-E REP-P	78–06–016 78–04–079
284-30-360	NEW-P	78-06-028	289-16-040	NEW-P	78-08-074 78-08-074	296-37-080	REP-F	78-06-016
284-30-360	NEW	78-08-082	289-18-010	NEW-P	78-08-074	296-37-081	REP-P	78-04-079
284-30-370	NEW-P	78-06-028	289-18-020	NEW-P	78-08-074	296-37-081	REP-E	78-06-016
284-30-370 284-30-380	NEW NEW-P	78-08-082	289-18-030	NEW-P	78-08-074	296-37-082	REP-P	78-04-079
284-30-380	NEW-P	78–06–028 78–08–082	289-18-040 289-18-050	NEW-P NEW-P	78–08–074 78–08–074	296–37082 296–37090	REP-E REP-P	78-06-016 7804-079
284-30-390	NEW-P	78-06-028	289-20-010	NEW-P	78-08-074	296-37-090	REP-E	78-06-016
284-30-390	NEW	78-08-082	289-20-020	NEW-P	78-08-074	296-37-100	REP-P	7804079
284-30-400	NEW-P	78-06-028	289-20-030	NEW-P	78-08-074	296-37-100	REP-E	78-06-016
284-30-400 284-30-410	NEW NEW-P	78-08-082 78-06-028	289–20–040 289–20–050	NEW-P NEW-P	78-08-074 78-08-074	296-37-110 296-37-110	REP-P REP-E	78-04-079
284-30-410	NEW	78-08-082	289-20-030	NEW-P	78-08-074 78-08-074	296-37-110	REP-E REP-P	78–06–016 78–04–079
284-50-450	NEW-P	78-03-077	289-22-020	NEW-P	78-08-074	296-37-300	REP-E	78-06-016
284-50-450	NEW	78-05-039	289-24-010	NEW-P	78-08-074	296-37-310	REP-P	7804079
284-50-455 284-50-455	NEW-P NEW	78–03–077 78–05–039	289-24-020 289-24-030	NEW-P NEW-P	78-08-074 78-08-074	296-37-310 296-37-320	REP-E	7806016
204 20 423	145 44	10-03-037	207-24-030	IAT: AA~L	/0-U0~U/4	270-31-320	REP-P	78–04–079

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
296–37–320	REP-E	78-06-016	296-46-320	REP	78-02-098	296-126-202	NEW	78-03-004
296-37-330	REP-P	78-04-079 78-06-016	296-46-350	AMD	78-02-098	296-126-204	NEW	78-03-004
296–37–330 296–37–340	REP-E REP-P	78-06-016 78-04-079	296–46–390 296–46–400	AMD REP	78–02–098 78–02–098	296-126-206 296-126-208	NEW NEW	78–03–004 78–03–004
296-37-340	REP-E	78-06-016	296-46-401	REP	78-02-098	296-126-210	NEW	78-03-004
296-37-350	REP-P	78-04-079	296-46-402	REP	78-02-098	296-126-212	NEW	78-03-004
296–37–350	REP-E	78-06-016	296-46-424	AMD	78-02-098	296-126-214	NEW	78-03-004
296–37–360 296–37–360	REP-P REP-E	78-04-079 78-06-016	296–46–425 296–46–426	REP AMD	78-02-098 78-02-098	296-126-216 296-126-218	NEW NEW	78-03-004 78-03-004
296-37-370	REP-P	78-04-079	296-46-450	REP	78-02-098	296-126-220	NEW	78-03-004 78-03-004
296-37-370	REP-E	78-06-016	296-46-460	REP	78-02-098	296-126-222	NEW	78-03-004
296-37-380	REP-P	78-04-079	296-46-480	AMD	78-02-098	296-126-224	NEW	78-03-004
296–37–380 296–37–390	REP-E REP-P	78-06-016 78-04-079	296–46–492 296–46–493	NEW NEW	78–02–098 78–02–098	296–126–226 296–305–005	NEW AMD–P	78–03–004 78–04–079
296-37-390	REP-E	78-06-016	296-46-495	NEW	78-02-098	296-305-005	AMD-F	78-05-027
296-37-395	REP-P	78-04-079	296-46-500	AMD	78-02-098	296-305-005	AMD-E	78-08-008
296-37-395	REP-E	78-06-016	296-46-510	AMD	78-02-098	297-10-010	REP	78-03-023
296-37-400 296-37-400	REP-P REP-E	78-04-079 78-06-016	296–46–515 296–46–525	AMD AMD	78–02–098 78–02–098	297-15-010 297-20-010	REP REP	78-03-023
296-37-400 296-37-410	REP-P	78-04-079	296-46-590	NEW	78-02-098 78-02-098	297-20-010	REP	78–03–023 78–03–023
296-37-410	REP-E	78-06-016	296-46-59005	NEW	78-02-098	297-20-030	REP	78-03-023
296-37-420	REP-P	78-04-079	296-46-59010	NEW	78-02-098	297–25–010	REP	78-03-023
296–37–420 296–37–430	REP-E REP-P	78–06–016 78–04–079	296–46–900 296–46–910	AMD NEW	78–02–098 78–02–098	297–25–020	REP	78-03-023
296–37–430 296–37–430	REP-E	78–04–07 9 78–06–016	296–46–App.A	REP	78-02-098 78-02-098	297–25–030 297–25–040	REP REP	78–03–023 78–03–023
296-37-440	REP-P	78-04-079	296-46-App.B	REP	78-02-098	297-25-050	REP	78-03-023
296-37-440	REP-E	78-06-016	296-52-010	AMD-P	78-04-079	297-30-010	REP	78-03-023
296-37-450	REP-P	78–04–079 78–06–016	296-52-010	AMD E	78-07-052	297-30-020	REP	78-03-023
296–37–450 296–37–460	REP-E REP-P	78-04-079	296-52-012 296-52-020	AMD-E AMD-E	78–04–001 78–04–001	297–30–030 297–30–040	REP REP	78–03–023 78–03–023
296-37-460	REP-E	78-06-016	296-52-030	AMD-E	78-04-001	297-30-050	REP	78-03-023
296-37-510	NEW-P	78-04-079	296-52-090	AMD-E	78-04-001	297-30-060	REP	78-03-023
296–37–510	NEW-E	78–06–016	296–62–07335	NEW-E NEW-P	78-04-022	297–30–070	REP	78-03-023
296–37–515 296–37–515	NEW-P NEW-E	78-04-079 78-06-016	296–62–07335 296–62–07341	NEW-P NEW-E	78–04–079 78–04–044	29730-080 29735010	REP REP	78–03–023 78–03–023
296-37-520	NEW-P	78-04-079	296-62-07341	NEW-P	78-04-079	297-35-020	REP	78-03-023
296-37-520	NEW-E	78-06-016	296-62-07341	NEW	78-07-052	297-35-030	REP	78-03-023
296-37-525	NEW-P NEW-E	78-04-079	296-62-07345	NEW-E NEW-P	78-04-044	297-35-040	REP	78-03-023
296–37–525 296–37–530	NEW-E NEW-P	78–06–016 78–04–079	296–62–07345 296–62–07345	NEW-P NEW	78-04-079 78-07-052	297–35–050 297–35–060	REP REP	78-03-023 78-03-023
296-37-530	NEW-E	78-06-016	296-104-050	AMD-E	78-03-036	297-35-070	REP	78-03-023
296-37-535	NEW-P	78-04-079	296-104-050	AMD	78-03-057	297-35-080	REP	78-03-023
296–37–535 296–37–540	NEW-E NEW-P	78–06–016 78–04–079	296–104–065 296–104–065	AMD-E AMD	78–03–036 78–03–057	297–35–090 297–35–100	REP REP	78-03-023 78-03-023
296–37–540 296–37–540	NEW-F	78-06-016	296-104-003	AMD-E	78–03–037 78–03–036	297-35-100	REP	78-03-023 78-03-023
296-37-545	NEW-P	78-04-079	296–104–170	AMD	78-03-057	297-35-120	REP	78-03-023
296-37-545	NEW-E	78-06-016	296-104-200	AMD-E	78-07-086	297-35-130	REP	78-03-023
296–37–550 296–37–550	NEW-P	78-04-079 78 06 016	296-104-200	AMD-P	78–07–087	297-35-140	REP	78-03-023
296-37-555	NEW-E NEW-P	78-06-016 78-04-079	296–104–235 296–104–235	AMD-E AMD	78–03–036 78–03–057	297–35–150 297–35–160	REP REP	78–03–023 78–03–023
296-37-555	NEW-E	78-06-016	296-104-245	AMD-E	78-03-036	297-40-010	REP	78-03-023
296–37–560	NEW-P	78-04-079	296–104–245	AMD	78-03-057	297-40-040	REP	78-03-023
296–37–560 296–37–565	NEW-E NEW-P	78–06–016 78–04–079	296–104–250 296–104–250	REP-E REP	78–03–036 78–03–057	297–40–050 297–40–060	REP REP	78–03–023 78–03–023
296-37-565	NEW-E	78-06-016	296-104-275	REP-E	78-03-037 78-03-036	297-40-070	REP	78-03-023 78-03-023
296-37-570	NEW-P	78-04-079	296104275	REP	78-03-057	297-40-080	REP	78-03-023
296-37-570	NEW-E	78-06-016	296–104–280	REP-E	78-03-036	297-40-090	REP	78-03-023
296–37–575 296–37–575	NEW-P NEW-E	78-04-079 78-06-016	296–104–280 296–104–285	REP NEW-E	78–03–057 78–03–036	297-40-100 297-40-110	REP REP	78-03-023 78-03-023
296-37-580	NEW-P	78-04-079	296-104-285	NEW	78-03-057	297-40-120	REP	78–03–023 78–03–023
296-37-580	NEW-E	78-06-016	296-104-315	AMD-E	78-03-036	297-40-130	REP	78-03-023
296-37-585	NEW-P	78-04-079	296–104–315	AMD	78-03-057	297-40-140	REP	78-03-023
296-37-585 296-46-110	NEW-E AMD	78–06–016 78–02–098	296-116-010 296-116-020	AMD–P AMD–P	78–07–032 78–07–032	297-40-150 297-40-160	REP REP	78-03-023 78-03-023
296-46-140	AMD	78-02-098 78-02-098	296-116-020	AMD-P	78-07-032 78-07-032	297-40-170	REP	78-03-023 78-03-023
296-46-150	AMD	78-02-098	296-116-040	AMD-P	78-07-032	297-40-180	REP	78-03-023
296-46-200	AMD	78-02-098	296-116-060	AMD-P	78-07-032	297-40-190	REP	78-03-023
296–46–220 296–46–242	AMD NEW	78–02–098 78–02–098	296-116-070 296-116-205	AMD-P NEW-P	78–07–032 78–07–032	297–40–200 297–40–210	REP REP	78-03-023 78-03-023
296-46-244 296-46-244	NEW	78-02-098 78-02-098	296-116-2051	NEW-P	78-07-032 78-07-032	297-40-210	REP	78-03-023 78-03-023
296-46-250	REP	78-02-098	296-116-300	AMD	78-02-008	297-40-230	REP	78-03-023
296-46-260	REP	78-02-098	296-116-320	AMD	78-02-008	297-40-240	REP	78-03-023
296–46–265 296–46–270	REP AMD	78-02-098 78-02-098	296–116–351 296–126–200	AMD NEW	78-02-008 78-03-004	297–40–250 297–40–260	REP REP	78–03–023 78–03–023
270-270		.5 52 576	220 120 200		.5 05 007	27. 40 200		.0 05-025

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
297–40–265	REP	78-03-023	297-60-010	REP	78-03-023	308-120-420	NEW-P	78-03-068
297-40-270	REP	78-03-023	308-04-010	AMD-P	78-02-086	308-120-420	NEW-P	78-06-119
297-40-280	REP	78-03-023	308-04-010 308-08-005	AMD AMD-E	78-04-040 78-06-030	308-120-420 308-120-430	NEW-P NEW-P	78-08-115 78-03-068
297-40-290 297-40-300	REP REP	78-03-023 78-03-023	308-08-005	AMD-E AMD-P	78-06-078	308-120-430	NEW-P	78-06-119
297-40-300 297-40-310	REP	78-03-023	308-08-005	AMD	78-08-054	308-120-430	NEW-P	78-08-115
297-40-320	REP	78-03-023	308-26-005	AMD-P	78-05-061	308-120-440	NEW-P	78-03-068
297-40-330	REP	78-03-023	308-26-005	AMD-P	78-07-033	308-120-440	NEW-P	78-06-119
297-40-340	REP	78-03-023	308-26-005 308-26-011	AMD NEW-P	78–07–073 78–05–061	308-120-440 308-120-450	NEW-P NEW-P	78–08–115 78–03–068
297 -4 0-350 297-40-360	REP REP	78-03-023 78-03-023	308-26-011 308-26-011	NEW-P	78-03-061 78-07-033	308-120-430	AMD-P	78–06–045
297 -4 0-360 297-40-370	REP	78-03-023	308-26-011	NEW	78-07-073	308-122-210	AMD-P	78-06-045
297-40-380	REP	78-03-023	308-52-050	REP-P	78-02-115	308-128F-020	AMD-P	78-05-086
297-40-390	REP	78-03-023	308-52-050	REP	78-04-028	308-128F-020	AMD	78-08-027
297-40-400	REP	78-03-023 78-03-023	308-52-136 308-52-136	NEW-P NEW	78-02-115 78-04-029	308-200-010 308-200-020	REP-P REP-P	78–05–038 78–05–038
297 -40-4 10 297 -40-4 20	REP REP	78-03-023	308-52-137	NEW-P	78-02-115	308-200-025	REP-P	78-05-038
297-40-430	REP	78-03-023	308-52-137	NEW	78-04-029	308-200-030	REP-P	78-05-038
297-40-440	REP	78-03-023	308-52-138	NEW-P	78-02-115	308-200-040	REP-P	78-05-038
297-40-450	REP	78-03-023	308-52-138 308-52-139	NEW NEW-P	78-04-029 78-02-115	·308–200–050 308–200–055	REP-P REP-P	78–05–038 78–05–038
297 <u>–40–460</u> 297 <u>–40</u> –470	REP REP	78-03-023 78-03-023	308-52-139 308-52-139	NEW-P	78-02-113 78-04-029	308-200-055	REP-P	78-05-038
297-40-480	REP	78-03-023	308-52-140	NEW-P	78-02-115	308-200-100	REP-P	78-05-038
297-40-490	REP	78-03-023	308-52-140	NEW	78-04-029	308-200-150	REP-P	78-05-038
297-40-500	REP	78-03-023	308-52-141	NEW-P	78-02-115 78-04-029	308-200-160 308-200-170	REP-P REP-P	78-05-038 78-05-038
. 297–40–510 297–40–520	REP REP	78-03-023 78-03-023	308-52-141 308-52-142	NEW NEW-P	78-04-029 78-02-115	308-200-170 308-200-175	REP-P	78-05-038
297-40-530	REP	78-03-023	308-52-142	NEW	78-04-029	308-200-180	REP-P	78-05-038
297-40-540	REP	78-03-023	308-52-143	NEW-P	78-02-115	308-200-190	REP-P	78-05-038
297-40-550	REP	78-03-023	308-52-143	NEW	78-04-029	308-200-200	REP-P	78-05-038
297–45–010 297–45–020	REP REP	78-03-023 78-03-023	308-52-144 308-52-144	NEW-P NEW	78–02–115 78–04–029	308-200-203 308-200-205	REP-P REP-P	78–05–038 78–05–038
297-50-010	REP	78-03-023	308-52-260	AMD-P	78-02-115	308-200-210	REP-P	78-05-038
297-50-020	REP	78-03-023	308-52-260	AMD	78-04-028	308-200-215	REP-P	78-05-038
297-50-030	REP	78-03-023	308-52-260	AMD-E	78-04-030	308-200-220	REP-P	78-05-038
297-50-040 297-50-050	REP REP	78–03–023 78–03–023	308-52-270 308-52-270	AMDP AMD	78-02-115 78-04-028	308-200-225 308-200-230	REP-P REP-P	78–05–038 78–05–038
297-50-060	REP	78-03-023	308-53-030	NEW	78-02-030	308-200-235	REP-P	78-05-038
297-50-070	REP	78-03-023	308-53-070	NEW	78-02-030	308-200-240	REP-P	78-05-038
297-50-080	REP	78-03-023	308-53-130	REP-P	78-02-115 78-02-030	308-200-245 308-200-260	REP-P REP-P	78–05–038 78–05–038
297-50-090 297-50-100	REP REP	78–03–023 78–03–023	308-53-160 308-53-205	AMD NEW	78-02-030 78-02-030	308-200-200	REP-P	78-05-038
297-50-110	REP	78-03-023	308-53-230	AMD	78-02-030	308-200-300	REP-P	78-05-038
297-50-120	REP	78-03-023	308-53-235	NEW	78-02-030	308-200-305	REP-P	78-05-038
297-50-130	REP	78-03-023 78-03-023	308-53-260 308-54-010	NEW AMD	78-02-030 78-02-009	308-200-310 308-200-320	REP-P REP-P	78–05–038 78–05–038
297-50-140 297-50-150	REP REP	78-03-023 78-03-023	308-54-040	AMD	78-02-009 78-02-009	308-200-320	REP-P	78-05-038
297-50-160	REP	78-03-023	308-54-095	NEW	78-02-009	308-200-340	REP-P	78-05-038
297-50-170	REP	78–03–023	308-54-160	AMD	78-02-009	308-200-345	REP-P	78-05-038
297-50-180	REP	78-03-023 78-03-023	308-54-170 308-54-200	AMD AMD	78–02–009 78–02–009	308-200-350 308-200-355	REP-P REP-P	78–05–038 78–05–038
297-50-190 297-50-200	REP REP	78-03-023 78-03-023	308-54-210	REP	78-02-009	308-200-353	REP-P	78-05-038
297-50-210	REP	78-03-023	308-54-220	AMD	78-02-009	308-200-365	REP-P	78-05-038
297-50-220	REP	78-03-023	308-54-225	NEW	78-02-009	308-200-370	REP-P	78-05-038
297-50-230 297-50-240	REP REP	78-03-023 78-03-023	308-54-240 308-104-045	AMD AMD–P	78–02–009 78–02–087	308-200-375 308-200-390	REP-P REP-P	78-05-038 78-05-038
297-50-240 297-50-250	REP	78-03-023 78-03-023	308-104-045	AMD-I	78-04-041	308-200-390	REP-P	78-05-038
297-50-260	REP	78-03-023	308-116-295	AMD-P	78-08-114	308-200-405	REP-P	78-05-038
297-50-270	REP	78-03-023	308-120-160	AMD-P	78-03-080	308-200-410	REP-P	78-05-038
297-55-010 297-55-020	REP REP	78-03-023 78-03-023	308-120-160 308-120-185	AMD AMD-P	78–05–085 78–03–080	308-200-420 308-200-425	REP-P REP-P	78–05–038 78–05–038
297-55-030	REP	78-03-023	308-120-185	AMD	78-05-085	308-200-440	REP-P	78-05-038
29755-040	REP	78-03-023	308-120-260	AMD-P	78-06-118	308-200-442	REP-P	78-05-038
297-55-050	REP	78-03-023	308-120-260	AMD-P	78-08-113	308-200-444	REP-P	78-05-038
29755060 29755070	REP REP	78-03-023 78-03-023	308-120-340 308-120-340	NEW-P NEW	78–03–079 78–05–085	308-200-446 308-200-450	REP-P REP-P	78-05-038 78-05-038
297-55-080	REP	78-03-023 78-03-023	308-120-340	NEW-P	78-03-083 78-03-079	308-200-455	REP-P	78-05-038
297-55-090	REP	78-03-023	308-120-350	NEW	78-05-085	308-200-460	REP-P	78-05-038
297-55-100	REP	78-03-023	308-120-400	NEW-P	78-03-068	308-200-465	REP-P	78-05-038
297~55–110 297–55–120	REP REP	78-03-023 78-03-023	308-120-400 308-120-400	NEW-P NEW-P	78-06-119 78-08-115	308-200-470 308-200-480	REP-P REP-P	78-05-038 78-05-038
297-55-130	REP	78–03–023 78–03–023	308-120-410	NEW-P	78-03-068	308-200-485	REP-P	78-05-038
297-55-140	REP	78-03-023	308-120-410	NEW-P	78-06-119	308-200-490	REP-P	78-05-038
297–55–990	REP	78–03–023	308-120-410	NEW-P	78–08–115	308-200-495	REP-P	78-05-038

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
308-200-500	REP-P	78-05-038	308-200A-442	NEW-P	78-05-038	332-26-508	AMD-E	78-05-069
308-200-510 308-200-520	REP-P REP-P	78–05–038 78–05–038	308-200A-444 308-200A-446	NEW-P NEW-P	78-05-038	332-40-020	AMD-P	78-03-115
308-200-520	REP-P	78-05-038 78-05-038	308-200A-450	NEW-P	78–05–038 78–05–038	332-40-020 332-40-037	AMD AMD~P	78–05–015 78–03–115
308-200-535	REP-P	78-05-038	308-200A-455	NEW-P	78-05-038	332-40-037	AMD-F	78–05–115 78–05–015
308-200-540	REP-P	78-05-038	308-200A-460	NEW-P	78-05-038	332-40-040	AMD-P	78-03-115
308-200-545	REP-P	78-05-038	308-200A-465	NEW-P	78-05-038	332-40-040	AMD	7805015
308-200-550	REP-P	78-05-038	308-200A-470	NEW-P	78-05-038	332-40-050	AMD-P	78-03-115
308-200-570 308-200-580	REP-P REP-P	78–05–038 78–05–038	308-200A-480 308-200A-485	NEW-P NEW-P	78–05–038 78–05–038	332-40-050 332-40-055	AMD AMD–P	78-05-015 78-03-115
308-200-600	REP-P	78-05-038	308-200A-490	NEW-P	78-05-038 78-05-038	332-40-055	AMD-P AMD	78-05-015
308-200-650	REP-P	78-05-038	308-200A-495	NEW-P	78-05-038	332-40-060	AMD-P	78-03-115
308-200-652	REP-P	78-05-038	308-200A-500	NEW-P	78-05-038	332-40-060	AMD	78-05-015
308-200-660	REP-P	78-05-038	308-200A-510	NEW-P	78-05-038	332-40-100	AMD-P	78-03-115
308-200-690 308-200-695	REP-P REP-P	78–05–038 78–05–038	308-200A-520 308-200A-530	NEW-P NEW-P	78–05–038 78–05–038	332-40-100	AMD	78-05-015
308-200-700	REP-P	78-05-038	308-200A-535	NEW-P	78-05-038	332-40-170 332-40-170	AMD–P AMD	78–03–115 78–05–015
308-200-710	REP-P	78-05-038	308-200A-540	NEW-P	78-05-038	332-40-175	AMD-P	78–03–115
308-200-820	REP-P	78-05-038	308-200A-545	NEW-P	78-05-038	332-40-175	AMD	78-05-015
308-200-830	REP-P	78-05-038	308-200A-550	NEW-P	78-05-038	332-40-177	AMD-P	78-03-115
308-200-835 308-200-840	REP–P REP–P	78–05–038 78–05–038	308-200A-570 308-200A-580	NEW-P NEW-P	78–05–038 78–05–038	332-40-177 332-40-180	AMD	78-05-015
308-200-860	REP-P	78-05-038	308-200A-500	NEW-P	78-05-038	332-40-180	AMD–P AMD	78–03–115 78–05–015
308-200-900	REP-P	78-05-038	308-200A-650	NEW-P	78-05-038	332-40-190	AMD-P	78–03–115
308-200-910	REP-P	78-05-038	308-200A-652	NEW-P	78-05-038	332-40-190	AMD	78-05-015
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308-200A-055	NEW-P	78-05-038	308-200A-831	NEW-P	78-05-038	332-40-240	AMD-P	78-03-115
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308-200A-160	NEW-P	78-05-038	308-200A-910	NEW-P	78-05-038	332-40-300	AMD-P	78-03-115
308-200A-170	NEW-P	78-05-038	314–16–190	AMD-P	78-05-083	332-40-300	AMD	78-05-015
308-200A-175	NEW-P NEW-P	78–05–038 78–05–038	314-16-190	AMD	78-07-002	332-40-310	AMD-P	78-03-115
308-200A-177 308-200A-180	NEW-P	78-05-038 78-05-038	314-20-030 314-20-100	AMD AMD–P	78-02-031 78-02-016	332-40-310 332-40-315	AMD AMD–P	78-05-015 78-03-115
308-200A-190	NEW-P	78-05-038	314-20-100	AMD	78-02-016	332-40-315	AMD-F AMD	78–05–115 78–05–015
308-200A-200	NEW-P	78-05-038	314-24-080	AMD-P	78-07-044	332-40-320	AMD-P	78-03-115
308-200A-203	NEW-P	78-05-038	314–24–190	AMD-P	78-02-016	332-40-320	AMD	78-05-015
308-200A-205 308-200A-210	NEW-P NEW-P	78–05–038 78–05–038	314–24–190 314–52–070	AMD AMD–P	78–02–056 78–02–016	332-40-330 332-40-330	AMD-P	78-03-115
308-200A-210	NEW-P	78-05-038	314-52-070	AMD-F	78-02-016 78-02-056	332-40-340	AMD AMD–P	78-05-015 78-03-115
308-200A-220	NEW-P	78-05-038	314-52-080	AMD-P	78-02-016	332-40-340	AMD	78-05-015
308-200A-225	NEW-P	78-05-038	314-52-080	AMD	78-02-056	332-40-345	AMD-P	78-03-115
308-200A-230 308-200A-235	NEW-P NEW-P	78–05–038 78–05–038	314–52–090 314–52–090	AMD-P	78-02-016	332-40-345	AMD	78-05-015
308-200A-233 308-200A-240	NEW-P	78-05-038 78-05-038	314-52-111	AMD AMD-P	78-02-056 78-02-016	332–40–350 332–40–350	AMD–P AMD	78–03–115 78–05–015
308-200A-245	NEW-P	78-05-038	314-52-111	AMD	78-02-016	332-40-355	AMD-P	78–03–115
308-200A-260	NEW-P	78-05-038	314-52-113	AMD-P	78-02-016	332-40-355	AMD	78-05-015
308-200A-270	NEW-P	78-05-038	314-52-113	AMD	78-02-056	332-40-360	AMD-P	78-03-115
308-200A-300 308-200A-305	NEW-P NEW-P	78–05–038 78–05–038	314-52-120 314-52-120	AMD–P AMD	78–02–016 78–02–056	332-40-360 332-40-365	AMD	7805015
308-200A-303	NEW-P	78-05-038	314-62-010	NEW	78-02-036 78-02-039	332-40-365	AMD-P AMD	78–03–115 78–05–015
308-200A-320	NEW-P	78-05-038	314-62-020	NEW	78-02-039	332-40-370	AMD-P	78-03-115
308-200A-330	NEW-P	78-05-038	314-62-020	AMD-P	78-03-005	332-40-370	AMD	78-05-015
308-200A-340	NEW-P NEW-P	78-05-038	314-62-020	AMD	78-05-003	332-40-405	AMD-P	78-03-115
308-200A-345 308-200A-350	NEW-P	78-05-038 78-05-038	332-24-090 332-24-090	AMD–E AMD–E	78-04-025 78-05-014	332-40-405 332-40-410	AMD AMD–P	78–05–015 78–03–115
308-200A-355	NEW-P	78-05-038	332-24-090	AMD-E	78-05-069	332-40-410	AMD-F	78–05–115 78–05–015
308-200A-360	NEW-P	78-05-038	332-26-010	NEW-E	78-08-006	332-40-420	AMD-P	78-03-115
308-200A-365	NEW-P	78-05-038	332-26-020	NEW-E	78-08-006	332-40-420	AMD	78-05-015
308-200A-370 308-200A-375	NEW-P NEW-P	78–05–038 78–05–038	332–26–030 332–26–040	NEW-E	78-08-006	332-40-440	AMD-P	78-03-115
308-200A-373 308-200A-390	NEW-P	78-05-038 78-05-038	332-26-040	NEW-E NEW-E	78–08–006 78–08–006	332–40–440 332–40–442	AMD AMD–P	78–05–015 78–03–115
308-200A-400	NEW-P	78-05-038	332-26-070	NEW-E	78-08-006	332-40-442	AMD-I AMD	78–05–015
308-200A-405	NEW-P	78-05-038	332-26-503	NEW-E	78-08-063	332-40-444	AMD-P	78-03-115
308-200A-410	NEW-P	78-05-038	332-26-503	AMD-E	78-08-073	332-40-444	AMD	78-05-015
308-200A-420 308200A-425	NEW-P NEW-P	78-05-038 78-05-038	332-26-503 332-26-503	NEW-E AMD-E	78-08-087 78-08-101	332-40-450 332-40-450	AMD–P AMD	78–03–115 78–05–015
308-200A-440	NEW-P	78-05-038	332-26-508	NEW-E	78-05-014	332-40-455	NEW-P	78-03-115

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
332-40-455	NEW	78-05-015	352–10–225	AMD-P	78-04-089	352-10-540	AMD-P	78-04-089
332-40-460	AMD-P	78–03–115	352-10-225	AMD	78-07-023	352-10-540	AMD	78-07-023
332-40-460	AMD	78-05-015	352-10-230	AMD-P	78-04-089	352-10-545	AMD-P	78-04-089
332-40-465	AMD-P	78-03-115	352-10-230	AMD	78-07-023	352-10-545	AMD	78-07-023
332-40-465	AMD	78-05-015	352-10-235	AMD-P	78-04-089	352-10-550	AMD-P	78-04-089
332-40-470	AMD-P	78-03-115 78-05-015	352-10-235 352-10-240	AMD AMD–P	78-07-023 78-04-089	352-10-550 352-10-570	AMD AMD–P	78-07-023 78-04-089
332-40-470 332-40-480	AMD AMD–P	78-03-015 78-03-115	352-10-240 352-10-240	AMD-P	78-07-023	352-10-570	AMD-F AMD	78-07-023
332-40-480	AMD	78-05-015	352-10-260	AMD-P	78-04-089	352-10-580	AMD-P	78-04-089
332-40-500	AMD-P	78-03-115	352-10-260	AMD	78-07-023	352-10-580	AMD	78-07-023
332-40-500	AMD	78-05-015	352-10-300	AMD-P	78-04-089	352-10-600	AMD-P	78-04-089
332-40-535	AMD–P AMD	78–03–115 78–05–015	352-10-300 352-10-305	AMD AMD–P	78–07–023 78–04–089	352-10-600 352-10-650	AMD AMD–P	78-07-023 78-04-089
332–40–535 332–40–540	AMD-P	78-03-015 78-03-115	352-10-305	AMD-1	78-07-023	352-10-650	AMD	78-07-023
332-40-540	AMD	78-05-015	352-10-310	AMD-P	78-04-089	352-10-660	AMD-P	78-04-089
332-40-545	AMD-P	78-03-115	352-10-310	AMD	78-07-023	352-10-660	AMD	78-07-023
332-40-545	AMD	78-05-015	352-10-320	AMD-P	78–04–089 78–07–023	352-10-690	AMD-P	78-04-089
332–40–570 332–40–570	AMD–P AMD	78–03–115 78–05–015	352-10-320 352-10-330	AMD AMD-P	78-07-023 78-04-089	352-10-690 352-10-695	AMD AMD–P	78-07-023 78-04-089
332-40-580	AMD-P	78–03–115	352-10-330	AMD	78-07-023	352-10-695	AMD	78-07-023
332-40-580	AMD	78-05-015	352-10-340	AMD-P	78-04-089	352-10-700	AMD-P	78-04-089
332-40-600	AMD-P	78-03-115	352-10-340	AMD	78-07-023	352~10~700	AMD	78-07-023
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332-40-650 332-40-650	AMD–P AMD	78–03–115 78–05–015	352-10-345 352-10-350	AMD-P	78-04-089	352-10-830	AMD-P	78-04-089
332-40-660	AMD-P	78-03-115	352-10-350	AMD	78-07-023	352-10-920	AMD	78-07-023
332-40-660	AMD	78-05-015	352-10-355	AMD-P	78-04-089	352-32-030	AMD-P	78-03-088
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332-40-690	AMD	78–05–015 78–03–115	352-10-360 352-10-360	AMD–P AMD	78–04–089 78–07–023	352-32-250 352-32-250	AMD-P AMD	78–03–088 78–05–082
332 -4 0-695 332-40-695	AMD–P AMD	78-05-015	352-10-365 352-10-365	AMD-P	78-04-089	352-32-250	AMD	78-03-082 78-02-038
332-40-710	NEW-P	78-03-115	352-10-365	AMD	78-07-023	352-32-280	AMD-P	78-03-088
332-40-710	NEW	78-05-015	352–10–370	AMD-P	78-04-089	352-32-280	AMD	78-05-082
332-40-800	AMD-P	78-03-115	352-10-370	AMD	78-07-023	352-32-285	NEW-P	78-03-088
332–40–800 332–40–835	AMD REP-P	78–05–015 78–03–115	352-10-375 352-10-375	AMD–P AMD	78–04–089 78–07–023	352–32–285 352–44–025	NEW NEW-P	78–05–082 78–06–035
332-40-835	REP	78–05–015	352-10-375	AMD-P	78-04-089	356-06-010	AMD	78-02-049
332-100-010	REP-P	78-08-075	352-10-380	AMD	78-07-023	356-06-020	AMD-P	78-03-074
332-100-040	NEW-E	78-06-096	352-10-390	AMD-P	78-04-089	356-06-020	AMD	78-05-025
332-100-040 352-10-010	NEW-P AMD-P	78–08–075 78–04–089	352-10-390 352-10-400	AMD AMD–P	78–07–023 78–04–089	356-06-060 356-06-060	AMD–P AMD	78–03–074 78–05–025
352-10-010	AMD-1	78-07-023	352-10-400	AMD	78-07-023	356-06-070	AMD-P	78-03-074
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352-10-020	AMD	78-07-023	352-10-405	AMD	78-07-023	356-06-080	AMD-P	78-03-074
352-10-025 352-10-025	AMD–P AMD	78–04–089 78–07–023	352-10-410 352-10-410	AMD–P AMD	78–04–089 78–07–023	356-06-080 356-07-030	AMD AMD–P	78-05-025 78-03-074
352-10-023 352-10-040	AMD-P	78-04-089	352-10-410	AMD-P	78-04-089	356-07-030	AMD-F AMD	78-05-025
352-10-040	AMD	78-07-023	352-10-420	AMD	78-07-023	356-10-010	AMD-P	78-03-074
352-10-050	AMD-P	78-04-089	352-10-440	AMD-P	78-04-089	356-10-030	AMD-P	78-02-100
352-10-050	AMD	78-07-023	352-10-440	AMD	78-07-023	356-10-030	AMD-P	78-04-018
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352-10-060	AMD	78–07–023	352-10-444	AMD	78-07-023	356–10–030	AMD-P	78-07-007
352-10-100	AMD-P	78-04-089	352-10-450	AMD-P	78-04-089	356-10-030	AMD-P	78-08-028
352-10-100 352-10-150	AMD AMD–P	78-07-023 78-04-089	352-10-450 352-10-455	AMD AMD–P	78–07–023 78–04–089	356-10-050 356-10-050	AMD–P AMD–P	78-02-100 78-04-018
352-10-150	AMD	78-07-023	352-10-455	AMD-1	78-07-023	356-10-050	AMD-P	78-06-019
352-10-170	AMD-P	78-04-089	352-10-460	AMD-P	78-04-089	356-10-050	AMD-P	78-06-029
352-10-170	AMD	78-07-023	352-10-460	AMD	78-07-023	356-10-050	AMD-P	78-06-112
352-10-175 352-10-175	NEW-P	78–04–089 78–07–023	352-10-465 352-10-465	AMD-P AMD	78–04–089 78–07–023	356-10-050 356-10-050	AMD-P AMD-P	78-07-007
352-10-173 352-10-177	NEW AMD-P	78-04-089	352-10-463	AMD-P	78-04-089	356-10-060	AMD-P	78-08-028 78-02-100
352-10-177	AMD	78-07-023	352-10-470	AMD	78-07-023	356-10-060	AMD-P	78-04-018
352-10-180	AMD-P	78-04-089	352-10-480	AMD-P	78-04-089	356-10-060	AMD-P	78-06-019
352-10-180	AMD	78-07-023	352-10-480	AMD	78-07-023	356-10-060	AMD-P	78-06-029
352-10-190 352-10-190	AMD–P AMD	78–04–089 78–07–023	352-10-485 352-10-485	AMD-P AMD	78-04-089 78-07-023	356-10-060 356-10-060	AMD-P AMD-P	78–06–112 78–07–007
352-10-190	AMD-P	78-04-089	352-10-510	AMD-P	78-04-089	356-10-060	AMD-P	78-08-028
352-10-203	AMD	78-07-023	352-10-510	AMD	78-07-023	356-14-025	REP-P	78-03-074
352-10-205	AMD-P	78-04-089	352-10-520	AMD-P	78-04-089	356-14-025	REP	78-05-025
352-10-205 352-10-220	AMD AMD–P	78-07-023 78-04-089	352-10-520 352-10-535	AMD AMD–P	78–07–023 78–04–089	356-14-030 356-14-030	AMD-P AMD	78–03–074 78–05–025
352-10-220 352-10-220	AMD-P AMD	78-04-089 78-07-023	352-10-333 352-10-535	AMD-P AMD	78-04-089 78-07-023	356-14-050	AMD-P	78-03-023 78-03-074
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WAC #		WSR #	WAC #		wsr #	WAC #		WSR #
356-14-050	AMD	78-05-025	356–38–030	REP	78-02-049	365-50-120	NEW-P	78-04-093
356-14-110	AMD-P	78-04-068	356-38-040	REP	78-02-049	365-50-130	NEW	78 -03065
356-14-110	AMD	78-06-017	356-38-050	REP	78-02-049	365-50-130	NEW-P	78-04-093
356-14-140 356-14-140	AMD–P AMD	78-04-068 78-06-017	356–38–060 356–38–070	REP REP	78-02-049 78-02-049	365-50-140 365-50-140	NEW NEW-P	78-03-065 78-04-093
356-14-180	AMD-P	78-04-068	356-38-080	REP	78-02-049	365-50-150	NEW	78-03-065
356-14-180	AMD	78-06-017	356-38-090	REP	78-02-049	365-50-150	NEW-P	78-04-093
356-14-200	AMD-P	78-04-068	356-38-100	REP	78-02-049	365-50-160	NEW	78-03-065
356-14-200	AMD	78-06-017	356-38-110	REP	78-02-049	365-50-160	NEW-P	78-04-093
356-14-210	AMD-P	78-04-068 78-06-017	356-38-120 356-38-130	REP REP	78-02-049 78-02-049	365-50-170 365-50-170	NEW NEW-P	78-03-065 78-04-093
356-14-210 356-14-270	AMD AMD–P	78-06-017 78-04-068	356-38-140	REP	78-02-049	365-50-180	NEW	78-03-065
356-14-270	AMD	78-06-017	356-38-150	REP	78-02-049	365-50-180	NEW-P	78-04-093
356-15-030	AMD-P	78-02-099	356-38-160	REP	78-02-049	365-50-190	NEW	78-03-065
356-15-030	AMD-P	78-04-018	356-38-170	REP	78-02-049	365-50-190	NEW-P	78-04-093
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356-15-120	AMD-E	78-05-024	356-39-040	NEW	78-02-049	365-50-210	NEW-P	78-04-093
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356-15-120	AMD	78-07-008	356-39-060	NEW	78-02-049	365-50-220	NEW-P	78-04-093
356-18-020	AMD-P	78-02-099	356-39-070	NEW	78-02-049	365-50-230	NEW D	78-03-065 78-04-093
356-18-020	AMD AMD–P	78-04-014 78-02-099	356-39-080 356-39-090	NEW NEW	78-02-049 78-02-049	365-50-230 365-50-240	NEW-P NEW	78-04-093 78-03-065
356-18-030 356-18-030	AMD-F	78-04-014	356-39-100	NEW	78-02-049	365-50-240	NEW-P	78-04-093
356-18-040	AMD-P	78-04-068	356-39-110	NEW	78-02-049	365~50~250	NEW	78-03-065
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356-18-070	AMD AMD–P	78-06-017 78-04-068	356-39-140 356-46-010	NEW AMD–P	78-02-049 78-08-083	365-50-260 365-50-270	NEW-P NEW	78-04-093 78-03-065
356-18-080 356-18-080	AMD-P	78-04-008 78-06-017	356-46-020	AMD-P	78-08-083	365-50-270	NEW-P	78-04-093
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356-18-160 356-18-160	AMD-P AMD	78-04-068 78-06-017	356-46-100	AMD-P	78-05-047	365-50-300	NEW-P	78-04-093
356-18-220	AMD-P	78-07-056	356-46-100	AMD	78-07-008	365-50-300	AMD-P	78-06-056
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356-22-070	AMD-P	78-04-068	356-46-130	AMD	78-07-008	365-50-300	AMD-P	78-08-080
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356-22-100	AMD	78-06-017	360-36-170	NEW-P	78-03-081	365-50-320	NEW-P	78-04-093
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356-22-130 356-22-170	AMD-P	78-04-068	365-40-040	NEW-P	78-08-106	365-50-340	NEW-P	78-07-020
356-22-170	AMD	78-06-017	365-40-050	NEW-P	78-08-106	365-50-350	NEW-P	78-04-093
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356-22-190 356-22-190	AMD–P AMD	78-04-068 78-06-017	365-50-020	NEW-P	78-03-065	365-50-360	NEW-P	78-06-056
356-22-200	AMD-P	78-04-068	365-50-020	NEW-P	78-04-093	365-50-360	NEW-P	78-07-020
356-22-200	AMD	78-06-017	365-50-030	NEW	78-03-065	365-50-370	NEW-P	78-04-093
356-22-230	AMD-P	78-02-099	365-50-030	NEW-P	78-04-093	365-50-370	NEW-P	78-06-056
356-22-230	AMD-P	78-04-018	365-50-040	NEW D	78-03-065 78-04-093	365-50-370 365-50-380	NEW-P NEW-P	78-07-020 78-04-093
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356-30-143	AMD-P	78-07-056	365-50-090	NEW-P	78-04-093	365-50-410	NEW-P	78-07-020
356-30-143	AMD-P	78-08-083	365-50-100	NEW NEW-P	78-03-065 78-04-093	365-50-500 365-50-500	NEW NEW-P	78-03-065 78-04-093
356-30-210 356-34-170	AMD-P AMD-P	78-08-083 78-08-083	365~50–100 365–50–110	NEW-P	78-04-093 78-03-065	365-50-510	NEW-F	78-04-031
356-38-010	REP	78-02-049	365~50-110	NEW-P	78-04-093	365-50-510	NEW-P	78-06-056
356-38-020	REP	78-02-049	365-50-120	NEW	78-03-065	365-50-520	NEW	78–03–065

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365-50-520	NEW-P	78-04-093	388-14-200	AMD-P	78-07-043	388-24-107	AMD-P	78-03-006
365-50-530 365-50-530	NEW NEW-P	78-03-065 78-04-093	388-14-205 388-14-205	NEW-E NEW-P	78-07-042 78-07-043	388-24-107 388-24-109	AMD AMD–E	78-05-046 78-07-042
365-50-540	NEW	78-03-065	388-14-220	AMD-P	78–04–101	388-24-109	AMD-P	78-07-043
365-50-540	NEW-P	78-04-093	388-14-220	AMD	78-07-015	388-24-111	NEW-E	78-07-042
365-50-550	NEW	78-03-065	388-14-370	AMD-P	78-04-101	388-24-111	NEW-P	78-07-043
365-50-550	NEW-P	78-04-093	388-14-370	AMD	78-07-015	388-24-125	AMD-P	78-07-022
365-50-560 365-50-560	NEW-P NEW-P	78–04–093 78–06–056	388-14-375 388-14-375	NEW-P NEW	78-04-101 78-07-015	388-24-135 388-24-137	AMD-P AMD-P	78–07–022 78–07–022
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365-50-560	NEW-P	78-08-080	388-14-380	NEW	78-07-015	388-24-270	AMD-P	78-07-022
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365-55-020 365-55-020	NEW-P NEW	78-02-104 78-04-013	388-15 388-15	AMD–P AMD–P	78–07–078 78–08–057	388-28-155 388-28-155	REP-E REP	78-04-021 78-06-086
365-55-030	NEW-P	78-02-104	388-15-010	AMD-P	78-05-094	388-28-355	AMD-P	78-07-022
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365-55-040	NEW-P	78-02-104	388-15-020	AMD	78-04-004	388-28-430	AMD	78-04-036
365-55-040 365-55-050	NEW NEW-P	78-04-013 78-02-104	388-15-020 388-15-120	AMD-P AMD-E	78-05-094 78-02-001	388-28-440 388-28-457	. AMD-P AMD-E	78-07-022 78-03-054
365-55-050	NEW-P	78-04-013	388-15-120	AMD-L AMD	78-04-004	388-28-457	AMD-P	78-03-055
365-55-060	NEW-P	78-02-104	388-15-130	AMD-P	78-05-094	388-28-457	AMD-P	78-05-021
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365-55-070 365-55-070	NEW-P NEW	78-02-104 78-04-013	388-15-170 388-15-172	AMD NEW-E	78–04–004 78–05–044	388-28-459 388-28-459	AMD–E AMD–P	78-03-054 78-03-055
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372-20-005	REP-P	78-06-124	388-15-360	AMD	78-04-004	388-28-460	AMD-E	78-03-054
372-20-010	REP-P	78-06-124	388-15-570	AMD-P	78-05-094	388-28-460	AMD-P	78-03-055
372–20–020 372–20–025	REP-P REP-P	78–06–124 78–06–124	388-17-010 388-17-010	AMD–P AMD–E	78–03–119 78–04–008	388-28-460 388-28-460	AMD-P AMD	78-05-021 78-05-088
372-20-030	REP-P	78-06-124	388-17-010	AMD	78-05-077	388-28-461	AMD-E	78-03-054
372-20-040	REP-P	78-06-124	388-17-020	AMD-P	78-03-119	388-28-461	AMD-P	78-03-055
372-20-050	REP-P	78-06-124	388-17-020	AMD-E	78-04-008	388-28-461	AMD-P	78-05-021
372–20–055 372–20–060	REP-P REP-P	78-06-124 78-06-124	388-17-020 388-17-030	AMD REP–P	78–05–077 78–03–119	388-28-461 388-28-462	AMD AMD–E	78–05–088 78–03–054
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372-20-080	REP-P	78-06-124	388-17-030	REP	78-05-077	388-28-462	AMD-P	78-05-021
372-20-090 372-20-100	REP-P REP-P	78-06-124 78-06-124	388-17-040	REP-P	78-03-119	388-28-462	AMD F	78-05-088
372-20-100 372-20-110	REP-P	78-06-124 78-06-124	388-17-040 388-17-040	REP-E REP	78–04–008 78–05–077	388-28-464 388-28-464	AMD-E AMD-P	78–03–054 78–03–055
388-11-015	AMD-P	78-04-101	388-17-050	REP-P	78-03-119	388-28-464	AMD-P	78-05-021
388-11-015	AMD	78-07-015	388-17-050	REP-E	78-04-008	388-28-464	AMD	78-05-088
388-11-030 388-11-030	AMD–P AMD	78–04–101 78–07–015	388-17-050 388-17-100	REP AMD–P	78–05–077 78–03–119	388-28-464 388-28-474	AMD B	78–06–023 78–04–048
388-11-050	AMD-P	78-04-101	388-17-100	AMD-P AMD-E	78-03-119 78-04-008	388-28-474	AMD–P AMD	78-06-088
388-11-050	AMD	78-07-015	388-17-100	AMD	78-05-077	388-28-480	AMD-P	78-08-044
388-11-055	NEW-P	78-04-101	388-17-120	AMD-P	78-03-119	388-28-500	AMD-P	78-07-022
388-11-055 388-11-060	NEW AMD–P	78–07–015 78–04–101	388-17-120 388-17-120	AMD–E AMD	78–04–008 78–05–077	388-28-515 388-28-530	AMD–P AMD–E	78-07-022 78-08-014
388-11-060	AMD-F	78–07–101 78–07–015	388-17-140	REP-P	78–03–077 78–03–119	388-28-530	AMD-E	78-08-014 78-08-017
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388-11-090 388-11-090	AMD–P AMD	78-04-101 78-07-015	388-17-160 388-17-160	AMD–P AMD–E	78–03–119 78–04–008	388-28-535 388-28-575	AMD AMD–P	78–05–019 78–03–010
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388-11-100	AMD	78-07-015	388-17-180	AMD-P	78-03-119	388-28-575	AMD	78-05-019
388-11-120	AMD-P	78-04-101	388-17-180	AMD-E	78-04-008	388-28-575	AMD-E	78-07-003
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388-11-140 388-11-140	AMD–P AMD	78-04-101 78-07-015	388-17-220 388-17-220	REP–E REP	78–04–008 78–05–077	388-29-110 388-29-110	AMD–P AMD–E	78–06–046 78–07–062
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388-11-160	REP	78-07-015	388-17-240	REP-E	78-04-008	388-29-130	AMD-P	78-06-046
388-11-170 388-11-170	AMD-P	78-04-101	388-17-240	REP	78-05-077	388-29-130	AMD-E	78-07-062
388-11-170 388-11-180	AMD AMD–P	78–07–015 78–04–101	388-22-030 388-24-040	AMD–P ·AMD–P	78–07–022 78–07–022	388–29–135 388–29–135	AMD–P AMD–E	78-06-046 78-07-062
388-11-180	AMD-1	78–07–101 78–07–015	388-24-050	AMD-P	78-04-094	388-29-135	AMD-E	78-08-084
388-11-190	AMD-P	78-04-101	388-24-050	AMD	78-06-074	388-29-140	AMD-P	78-02-069
388-11-190 388-14-200	AMD E	78–07–015	388-24-055	AMD-P	78-07-022	388-29-140	AMD BED D	78-04-035
388–14–200	AMD-E	78–07–042	388-24-070	AMD-P	78–07–022	388-29-140	REP-P	78–04–094

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388-29-155	NEW-P	78-04-020 78-04-021	388-37-230 388-37-235	REP-P REP-E	78-08-030 78-08-029	388-63-050 388-63-055	REP-P REP-P	78-05-089 78-05-089
388-29-155 388-29-155	NEW-E NEW	78-04-021 78-06-086	388-37-235	REP-P	78-08-029 78-08-030	388-63-060	REP-P	78-05-089 78-05-089
388-29-155	AMD-P	7807055	388-37-240	AMD-P	78-07-022	388-63-065	REP-P	78-05-089
388-29-155	AMD-E	78-07-061	388-37-240	REP-E	78-08-029	388-63-070	REP-P	78-05-089
388-29-160 388-29-160	AMD–P AMD–E	78–06–046 78–07–062	388-37-240 388-37-245	REP-P REP-E	78-08-030 78-08-029	388-63-110 388-63-120	REP-P REP-P	78-05-089 78-05-089
388-29-160	AMD	78-08-084	388-37-245	REP-P	78-08-030	388-63-125	REP-P	78-05-089
388-29-170	AMD-P	78-06-046	388-37-250	REP-E	78-08-029	388-70	AMD-P	78-07-078
388-29-170 388-29-170	AMD–E AMD	78-07-062 78-08-084	388-37-250 388-37-255	REP-P REP-E	78–08–030 78–08–029	388-70 388-70-010	AMD-P AMD-P	78-08-057 78-05-094
388-29-200	AMD-P	78-06-046	388-37-255	REP-P	78-08-030	388-70-012	AMD-P	78-05-094
388-29-200	AMD-E	78-07-062	388-37-260	REP-E	78-08-029	388-70-013	AMD-P	78-05-094
388-29-200	AMD	78-08-084 78-06-046	388-37-260 388-37-265	REP-P REP-E	78-08-030 78-08-029	388-70-014 388-70-016	REP-P REP-P	78-05-094 78-05-094
388-29-220 388-29-220	AMD-P AMD-E	78-00-046 78-07-062	388-37-265	REP-P	78-08-030	388-70-017	REP-P	78-05-094
388-29-220	AMD	78-08-084	388-37-270	REP-E	78-08-029	388-70-019	REP-P	78-05-094
388-29-260	AMD-P	78-06-046	388-37-270 388-42-020	REP-P AMD-E	78-08-030 78-08-042	388-70-022 388-70-024	AMD-P AMD-P	78-05-094 78-05-094
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388-29-280	AMD-P	78-06-046	388-42-030	AMD-E	78-08-042	388-70-047	AMD-P	78-05-094
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388-33-120	AMD-P	78-07-022	388-42-150	AMD-E	78-08-042	388-70-056	AMD-P	78-05-094
388-33-376	NEW-P	78-05-022	388-42-150	AMD-P	78-08-043	388-70-066	AMD-P	78-05-094
388-33-376 388-33-377	NEW AMD-P	78-08-053 78-05-022	388-44-127 388-44-127	AMD-P AMD-E	78–04–095 78–04–096	388-70-110 388-70-111	REP-P REP-P	78-05-094 78-05-094
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388-33-378	REP-P	78-05-022	388-48-020	AMD-P	78-06-037	388-70-114	REP-P	78-05-094
388-33-378	REP REP-P	78-08-053 78-05-022	388-48-020 388-48-020	AMD–E AMD	78-06-038 78-08-047	388-70-116 388-70-118	REP-P REP-P	78-05-094 78-05-094
388-33-380 388-33-380	REP	78-08-053	388-54-470	AMD-P	78-04-020	388-70-160	AMD-P	78-05-094
388-33-535	AMD-P	78-07-022	388-54-470	AMD-E	78-04-021	388-70-201	REP-P	78-05-094
388-33-545	AMD–P AMD–P	78-07-022 78-07-022	388-54-470 388-54-470	AMD AMD–E	78-06-086 78-08-015	388-70-211 388-70-221	REP-P REP-P	78-05-094 78-05-094
388-33-550 388-33-576	AMD-P AMD-P	78-07-046	388-54-470	AMD-P	78-08-020	388-70-230	REP-P	78-05-094
388-33-595	AMD-E	78-07-069	388-54-480	AMD	78-02-050	388-70-230	AMD-P	78-07-022
388-33-595	AMD-P	78-07-071 78-07-022	388-54-480 388-54-480	AMD-E AMD-E	78-04-007 78-08-015	388-70-235 388-70-240	REP-P REP-P	7805094 7805094
388-34-095 388-34-125	AMD–P AMD–P	78-07-022 78-07-022	388-54-480	AMD-E	78-08-020	388-70-245	REP-P	78-05-09 4
388-34-150	AMD-P	78-07-022	388-54-485	AMD-P	78-04-020	388-70-250	REP-P	78-05-094
388-34-160	AMD-P	78-07-022	388-54-485	AMD–E AMD	78-04-021 78-06-086	388-70-255 388-70-260	REP-P REP-P	78-05-094 78-05-094
388-35-010 388-35-010	NEW-E NEW-P	78-08-029 78-08-030	388-54-485 388-54-485	AMD-E	78-08-015	388-70-270	REP-P	78-05-094 78-05-094
388-35-020	NEW-E	78-08-029	388-54-485	AMD-P	78-08-020	388-70-275	REP-P	78-05-094
388-35-020	NEW-P	78-08-030	388-54-505	AMD-P	78-04-020	388-70-280	REP-P	78-05-094
388-35-030 388-35-030	NEW-E NEW-P	78-08-029 78-08-030	388-54-505 388-54-505	AMD–E AMD	78-04-021 78-06-086	388-70-320 388-70-700	REP-P NEW-P	78-05-094 78-05-094
388-35-050	NEW-E	78-08-029	388-54-535	AMD-P	78-03-118	388-73	NEW-P	78-07-047
388-35-050	NEW-P	78-08-030	388-54-535	AMD-E	78-04-007	388-73	NEW-P	78-08-056
388-35-060 388-35-060	NEW-E NEW-P	78-08-029 78-08-030	388-54-535 388-54-540	AMD AMD-P	78-05-064 78-04-020	388-73-010 388-73-012	NEW-P NEW-P	78-05-089 78-05-089
388-35-070	NEW-E	78-08-029	388-54-540	AMD-E	78-04-021	388-73-014	NEW-P	78-05-089
388-35-070	NEW-P	78-08-030	388-54-540	AMD	78-06-086	388-73-016	NEW-P	78-05-089
388-37-010 388-37-010	AMD-E AMD-P	78-08-029 78-08-030	388-54-540 388-54-540	AMD–E AMD–P	78-08-015 78-08-020	388-73-018 388-73-019	NEW-P NEW-P	78-05-089 78-05-089
388-37-010	AMD-P	78-07-022	388-54-595	AMD-P	78-03-118	388-73-020	NEW-P	78-05-089
388-37-020	AMD-E	78-08-029	388-54-595	AMD-E	78-04-007	388-73-022	NEW-P	78-05-089
388-37-020	AMD-P	78-08-030 78-03-120	388-54-595 388-55-010	AMD AMD–P	78-05-064 78-02-072	388-73-024 388-73-026	NEW-P NEW-P	78-05-089 78-05-089
388-37-030 388-37-030	AMD–P AMD–E	78-04-006	388-55-010	AMD-E	78-02-072	388-73-028	NEW-P	78-05-089
388-37-030	AMD	78-06-021	388-55-010	AMD	78-04-037	388-73-030	NEW-P	78-05-089
388-37-210	REP-E	78-08-029	388–63 388–63	REP-P	78-07-047 78-08-056	388-73-032 388-73-034	NEW-P NEW-P	78-05-089 78-05-089
388-37-210 388-37-215	REP-P REP-E	78-08-030 78-08-029	388-63-005	REP-P REP-P	78-05-089	388-73-036	NEW-P	78-05-089 78-05-089
388-37-215	REP-P	7808030	388-63-010	REP-P	78-05-089	388-73-038	NEW-P	78-05-089
388-37-220	AMD-P	78-07-022 78-08-029	388-63-015	REP-P REP-P	78-05-089 78-05-089	388-73-040 388-73-042	NEW-P NEW-P	78-05-089 78-05-089
388-37-220 388-37-220	REP-E REP-P	78-08-029 78-08-030	388-63-020 388-63-025	REP-P	78-05-089 78-05-089	388-73-044	NEW-P	78-05-089 78-05-089
388-37-230	AMD-P	78-03-121	388-63-030	REP-P	78-05-089	388-73-046	NEW-P	78-05-089
388-37-230	AMD-E	78-04-005	388-63-035	REP-P REP-P	78–05–089 78–05–089	388-73-048 388-73-050	NEW-P NEW-P	78-05-089 78-05-089
388-37-230	AMD	78-06-022	388–63–040	KET-T	/0-UJ-U89	1 300-73-030	MEW-L	/0-UJ-U07

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-73-052	NEW-P	78-05-089	388-73-452	NEW-P	78-05-089	388-75-153	REP-P	78-05-089
388-73-054	NEW-P	78-05-089	388-73-454	NEW-P	78-05-089	388-75-156	REP-P	78-05-089
388-73-056	NEW-P	78-05-089	388-73-456	NEW-P	78-05-089	388-75-157	REP-P	78-05-089
388-73-057	NEW-P	78-05-089	388-73-458	NEW-P	78-05-089	388-75-159	REP-P	78-05-089
388-73-058	NEW-P	78-05-089	388-73-460	NEW-P	78-05-089	388-75-162	REP-P	78-05-089
388-73-060 388-73-062	NEW-P NEW-P	78–05–089 78–05–089	388-73-500 388-73-502	NEW-P NEW-P	78–05–089 78–05–089	388-75-165 388-75-168	REP-P REP-P	78–05–089 78–05–089
388-73-064	NEW-P	78-05-089	388-73-504	NEW-P	78-05-089	388-75-171	REP-P	78-05-089
388-73-066	NEW-P	78-05-089	388-73-506	NEW-P	78-05-089	388-75-174	REP-P	78-05-089
388-73-068	NEW-P	78-05-089	388-73-508	NEW-P	78-05-089	388-75-177	REP-P	78-05-089
388-73-070	NEW-P	78-05-089	388-73-510	NEW-P	78-05-089	388-75-203	REP-P	78-05-089
388-73-072 388-73-074	NEW-P NEW-P	78-05-089 78-05-089	388-73-512 388-73-600	NEW-P NEW-P	78–05–089 78–05–089	388-75-206 388-75-209	REP-P REP-P	78-05-089 78-05-089
388-73-074	NEW-P	78-05-089	388-73-602	NEW-P	78–05–089 78–05–089	388-75-212	REP-P	78-05-089
388-73-078	NEW-P	78-05-089	388-73-604	NEW-P	78-05-089	388-75-215	REP-P	78-05-089
388-73-080	NEW-P	78-05-089	388-73-606	NEW-P	78-05-089	388-75-218	REP-P	78-05-089
388-73-100	NEW-P	78-05-089	388-73-608	NEW-P	78-05-089	388-75-221	REP-P	78-05-089
388-73-102 388-73-104	NEW-P NEW-P	78–05–089 78–05–089	388-73-610 388-73-700	NEW-P NEW-P	78–05–089 78–05–089	388-75-224 388-75-227	REP-P REP-P	78–05–089 78–05–089
388-73-106	NEW-P	78-05-089	388-73-702	NEW-P	78-05-089	388-75-230	REP-P	78-05-089
388-73-108	NEW-P	78-05-089	388-73-704	NEW-P	78-05-089	388-75-253	REP-P	78-05-089
388-73-110	NEW-P	78-05-089	388-73-706	NEW-P	78-05-089	388-75-256	REP-P	78-05-089
388-73-112	NEW-P	78-05-089	388-73-708	NEW-P	78-05-089	388-75-259	REP-P	78-05-089
388-73-114 388-73-116	NEW-P NEW-P	78–05–089 78–05–089	388-73-710 388-73-712	NEW-P NEW-P	78–05–089 78–05–089	388-75-262 388-75-265	REP-P REP-P	78–05–089 78–05–089
388-73-118	NEW-P	78-05-089	388-73-714	NEW-P	78-05-089	388-75-268	REP-P	78-05-089
388-73-120	NEW-P	78-05-089	388-73-716	NEW-P	78-05-089	388-75-271	REP-P	78-05-089
388-73-122	NEW-P	78-05-089	388-73-718	NEW-P	78-05-089	388-75-274	REP-P	78-05-089
388-73-124	NEW-P	78-05-089	388-73-720	NEW-P	78-05-089	388-75-277	REP-P	78-05-089
388-73-126 388-73-128	NEW-P NEW-P	78–05–089 78–05–089	388-73-722 388-75	NEW-P REP-P	78–05–089 78–07–047	388-75-280 388-75-283	REP-P REP-P	78–05–089 78–05–089
388-73-130	NEW-P	78-05-089	388-75	REP-P	78-08-056	388-75-303	REP-P	78–05–089
388-73-132	NEW-P	78-05-089	388-75-003	REP-P	78-05-089	388-75-306	REP-P	78-05-089
388-73-134	NEW-P	78-05-089	388-75-006	REP-P	78-05-089	388-75-309	REP-P	78-05-089
388-73-136	NEW-P	78-05-089	388-75-009	REP-P	78-05-089	388-75-312	REP-P	78-05-089
388-73-138 388-73-140	NEW-P NEW-P	78–05–089 78–05–089	388-75-012 388-75-015	REP-P REP-P	78-05-089 78-05-089	388-75-315 388-75-318	REP-P REP-P	78–05–089 78–05–089
388-73-142	NEW-P	78-05-089	388-75-018	REP-P	78-05-089	388-75-321	REP-P	78-05-089
388-73-144	NEW-P	78-05-089	388-75-021	REP-P	78-05-089	388-75-324	REP-P	78-05-089
388-73-146	NEW-P	78-05-089	388-75-024	REP-P	78-05-089	388-75-327	REP-P	78-05-089
388-73-200 388-73-202	NEW-P NEW-P	78–05–089 78–05–089	388-75-027 388-75-030	REP-P REP-P	78–05–089 78–05–089	388-75-330 388-75-333	REPP REPP	78–05–089 78–05–089
388-73-204	NEW-P	78-05-089	388-75-031	REP-P	78-05-089	388-75-336	REP-P	78-05-089
388-73-206	NEW-P	78-05-089	388-75-033	REP-P	78-05-089	388-75-339	REPP	78-05-089
388-73-208	NEW-P	78-05-089	388-75-036	REP-P	78-05-089	388-75-342	REP-P	78-05-089
388-73-210 388-73-212	NEW-P NEW-P	78–05–089 78–05–089	388-75-039 388-75-042	REP-P REP-P	78-05-089 78-05-089	388-75-345 388-75-348	REP-P REP-P	78–05–089 78–05–089
388-73-214	NEW-P	78-05-089	388-75-045	REP-P	78-05-089	388-75-351	REP-P	78-05-089 78-05-089
388-73-216	NEW-P	78-05-089	388-75-048	REP-P	78-05-089	388-75-354	REP-P	78-05-089
388-73-300	NEW-P	78-05-089	388-75-051	REP-P	78-05-089	388-75-357	REP-P	78-05-089
388-73-302 388-73-304	NEW-P	78-05-089	388-75-054	REP-P	78–05–089 78–05–089	388-75-360	REP-P	78-05-089
388-73-304	NEW-P NEW-P	78–05–089 78–05–089	388-75-057 388-75-060	REP-P REP-P	78-05-089 78-05-089	388-75-363 388-75-366	REP-P REP-P	78–05–089 78–05–089
388-73-308	NEW-P	78-05-089	388-75-063	REP-P	78-05-089	388-75-369	REP-P	78-05-089
388-73-310	NEW-P	78-05-089	388-75-066	REP-P	78-05-089	388-75-372	REP-P	78-05-089
388-73-312	NEW-P NEW-P	78-05-089	388-75-069	REP-P	78-05-089	388-75-375	REP-P	78-05-089
388-73-400 388-73-402	NEW-P NEW-P	78–05–089 78–05–089	388-75-072 388-75-075	REP-P REP-P	78–05–089 78–05–089	388-75-378 388-75-381	REP-P REP-P	78–05–089 78–05–089
388-73-404	NEW-P	78-05-089	388-75-078	REP-P	78-05-089	388-75-384	REP-P	78-05-089 78-05-089
388-73-406	NEW-P	78-05-089	388-75-081	REP-P	78-05-089	388-75-387	REP-P	78-05-089
388-73-408	NEW-P	78-05-089	388-75-084	REP-P	78-05-089	388-75-390	REP-P	78-05-089
388-73-410 388-73-412	NEW-P NEW-P	78-05-089	388-75-087	REP-P	78-05-089	388-75-393	REP-P	78-05-089
388-73-420	NEW-P	78-05-089 78-05-089	388-75-090 388-75-093	REP-P REP-P	78-05-089 78-05-089	388-75-396 388-75-403	REP-P REP-P	78–05–089 78–05–089
388-73-422	NEW-P	78-05-089	388-75-103	REP-P	78-05-089	388-75-406	REP-P	78-05-089
388-73-424	NEW-P	78-05-089	388-75-106	REP-P	78-05-089	388-75-409	REP-P	78-05-089
388-73-426	NEW-P	78-05-089	388-75-109	REP-P	78-05-089		REP-P	78-05-089
388-73-430 388-73-432	NEW-P NEW-P	78-05-089 78-05-089	388-75-112 388-75-115	REP–P REP–P	78–05–089 78–05–089	388-75-415 388-75-418	REP-P REP-P	78–05–089 78–05–089
388-73-434	NEW-P	78-05-089 78-05-089	388-75-115	REP-P	78-05-089 78-05-089	388-75-421	REP-P	78-05-089 78-05-089
388-73-436	NEW-P	78-05-089	388-75-121	REP-P	78-05-089	388-75-424	REP-P	78-05-089
388-73-438	NEW-P	78-05-089	388-75-124	REP-P	78-05-089	388-75-428	REP-P	78-05-089
388-73-440 388-73-450	NEW-P	78-05-089	388-75-127	REP-P	78-05-089	388~75—430	REP-P	78-05-089
300-13 -4 3U	NEW-P	78–05–089	388-75-130	REP-P	78-05-089	388–75–433	REP-P	78-05-089

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-75-436	REP-P	78-05-089	388-75-724	REP-P	78-05-089	388-87-025	AMD	78-06-087
388-75-439	REP-P	78-05-089	388-75-727	REP-P	78-05-089	388-87-027	AMD	78-02-024
388-75-442	REP-P	78–05–089 78–05–089	388-75-730 388-75-733	REP-P REP-P	78-05-089	388-87-027	AMD-P	78-03-007
388-75-445 388-75-448	REP-P REP-P	78-05-089 78-05-089	388-75-736	REP-P	78-05-089 78-05-089	388-87-027 388-87-070	AMD AMD	78–06–087 78–02–024
388-75-451	REP-P	78-05-089	388-75-739	REP-P	78-05-089	388-87-080	AMD	78-02-024
388-75-454	REP-P	78-05-089	388-75-742	REP-P	78-05-089	388-87-090	AMD	78-02-024
388-75-457	REP-P	78-05-089	388-75-745	REP-P	78-05-089	388-87-095	AMD	78-02-024
38875460 38875463	REP-P REP-P	78–05–089 78–05–089	388-75-748 388-75-751	REP-P REP-P	78–05–089 78–05–089	388-87-100 388-88-001	REP-P AMD-E	78–08–039 78–04–058
388-75-466	REP-P	78-05-089	388-75-754	REP-P	78-05-089	388-88-001	AMD-P	78-04-097
388-75-469	REP-P	78-05-089	388-75-757	REP-P	78-05-089	388-88-001	AMD	78-06-080
388-75-503	REP-P	78-05-089	388-75-760	REP-P	78-05-089	388-88-007	NEW-E	78-04-058
388-75-506	REP-P REP-P	78-05-089 78-05-089	388-75-763 388-75-766	REP-P REP-P	78–05–089 78–05–089	388-88-007 388-88-007	NEW-P NEW	78–04–097 78–06–080
388-75-509 388-75-512	REP-P	78-05-089 78-05-089	388-75-769	REP-P	78-05-089	388-88-051	NEW-E	78-04-058
388-75-515	REP-P	78-05-089	388-75-772	REP-P	78-05-089	388-88-051	NEW-P	78-04-097
388-75-518	REP-P	78-05-089	388-75-775	REP-P	78-05-089	388-88-051	NEW	78-06-080
388-75-521	REP-P	78-05-089	388-75-778	REP–P REP–P	78–05–089	388-88-082	NEW-E NEW-P	78–04–058 78–04–097
388-75-524 388-75-527	REP-P REP-P	78-05-089 78-05-089	388-75-781 388-75-784	REP-P	78–05–089 78–05–089	388-88-082 388-88-086	NEW-F NEW-E	78-04-058
388-75-530	REP-P	78-05-089	388-75-787	REP-P	78-05-089	388-88-086	NEW-P	78-04-097
388-75-533	REP-P	78-05-089	388-75-790	REP-P	78-05-089	388-88-086	NEW	78-06-080
388-75-536	REP-P	78-05-089	388-75-793	REP-P	78-05-089	388-88-088	NEW DED D	78–06–080 78–08–039
388-75-539 388-75-542	REP-P REP-P	78–05–089 78–05–089	388-80-005 388-80-005	AMD–P AMD–E	78–03–007 78–04–098	388-90-005 388-91-010	REP-P AMD-P	78-08-039 78-08-039
388-75-545	REP-P	78-05-089	388-80-005	AMD-P	78-04-099	388-92-015	AMD	78-02-024
388-75-548	REP-P	78-05-089	388-80-005	AMD	78-06-081	388-92-025	AMD-P	78-08-039
388-75-551	REP-P	78-05-089	388-81-040	AMD-P	78-08-039	388-92-030	AMD-E	78-08-013
388-75-554 388-75-557	REP-P REP-P	78-05-089 78-05-089	388-81-050 388-82-005	AMD AMD	78-02-024 78-02-024	388-92-030 388-92-035	AMD–P AMD–P	78-08-016 78-08-039
388-75-560	REP-P	78-05-089	38882010	AMD-P	78-08-039	388-92-060	AMD-P	78-08-039
388-75-563	REP-P	78-05-089	388-82-015	AMD	78-02-024	388–92–070	AMD	78-02-024
388-75-566	REP-P	78-05-089	388-82-030	AMD-P	78-08-039	388-93-040	AMD	78-02-024
388-75-569 388-75-572	REP-P REP-P	78–05–089 78–05–089	388-82-040 388-83-027	REP REP	78-02-024 78-02-024	388-95-005 388-95-010	AMD–P AMD–P	78–06–036 78–06–036
388-75-575	REP-P	78-05-089	388-83-028	NEW	78-02-024	388-95-025	AMD-P	78-06-036
388-75-578	REP-P	78-05-089	388-83-030	AMD-P	78-08-039	388-95-030	AMD-P	78-06-036
388-75-581	REP-P REP-P	7805089 7805089	388-83-035 388-83-035	AMD–E AMD–P	7808013 7808016	388-95-050 388-95-055	REP–P AMD–P	78-06-036 78-06-036
388-75-584 388-75-603	REP-P	78-05-089 78-05-089	388-85-020	AMD-P	78-08-016 78-08-039	388-95-060	AMD-P	78-06-036 78-06-036
388-75-606	REP-P	78-05-089	388-86-005	AMD	78-02-024	388-95-065	AMD-P	78-06-036
388-75-609	REP-P	78-05-089	388-86-005	AMD-E	7804098	388-95-070	AMD-P	78-06-036
388-75-612	REP-P REP-P	78–05–089 78–05–089	388–86–005 388–86–005	AMD–P AMD	78–04–099 78–06–081	388-95-075 388-95-210	AMD–P AMD–P	78–06–036 78–06–036
388-75-615 388-75-618	REP-P	78-05-089 78-05-089	388-86-008	NEW	78-02-024	388-95-225	AMD-P	78-06-036
388-75-621	REP-P	78-05-089	388-86-012	AMD	78-02-024	388-95-250	REP-P	78-06-036
388-75-624	REP-P	78-05-089	388-86-020	AMD	78-02-024	388-95-255	AMD-P	78-06-036
388-75-627 388-75-630	REPP REPP	78-05-089 78-05-089	388-86-023 388-86-030	AMD AMD–P	78-02-024 78-03-007	388-95-260 388-95-265	AMD–P AMD–P	78–06–036 78–06–036
388-75-633	REP-P	78-05-089	388-86-030	AMD	78-06-087	388-95-270	AMD-P	78-06-036
388-75-636	REP-P	78-05-089	388-86-040	AMD	78-02-024	388-95-275	AMD-P	78-06-036
388-75-639	REP-P	78-05-089	388-86-045	AMD	78-02-024	388-95-280	AMD-P	78-06-036
388-75-642 388-75-645	REP–P REP–P	78–05–089 78–05–089	388-86-050 388-86-050	AMD AMD–P	78-02-024 78-03-007	388-96-010 388-96-010	AMD–E AMD–P	78–04–058 78–04–097
388-75-648	REP-P	78-05-089	388-86-050	AMD_I	78-06-087	388-96-010	AMD	78-06-080
388-75-651	REP-P	78-05-089	388-86-067	AMD-P	78-08-039	388-96-020	AMD-E	78-04-058
388-75-654	REP-P	78-05-089	388-86-070	REP	78-02-024	388-96-020	AMD-P	78-04-097
388-75-657 388-75-660	REP-P REP-P	7805089 7805089	388-86-090 388-86-095	AMD AMD	78-02-024 78-02-024	388-96-020 388-96-023	AMD AMD–E	78–06–080 78–04–058
388-75-663	REP-P	78-05-089	388-86-095	AMD-P	78-08-039	388-96-023	AMD-P	78-04-097
388-75-666	REP-P	78-05-089	388-86-098	AMD	78-02-024	388-96-023	AMD	78-06-080
388-75-669	REP-P	78-05-089	388-86-100	AMD	78-02-024	388-96-032	AMD-E	78-04-058
388-75-672 388-75-675	REP–P REP–P	78-05-089 78-05-089	388–86–100 388–86–110	AMD–P AMD–P	78–08–039 78–08–039	388-96-032 388-96-032	AMD–P AMD	78-04-097 78-06-080
388-75-678	REP-P	78-05-089	388-86-112	AMD	78-02-024	388-96-222	AMD-E	78-04-058
388-75-681	REP-P	78-05-089	388-86-120	AMD	78-02-024	388-96-222	AMD-P	7804097
388-75-703	REP-P	78-05-089	388-87-005	AMD-P	78-08-039	388-96-222	AMD E	78-06-080
388-75-706 388-75-709	REP-P REP-P	7805089 7805089	388-87-012 388-87-012	AMD–P AMD	78–03–007 78–06–087	388-96-501 388-96-501	AMD–E AMD–P	78–04–058 78–04–097
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388-75-715	REP-P	78-05-089	388-87-015	AMD	7802024	388-96-505	AMD-E	78-04-058
388-75-718	REP-P	78-05-089	388-87-025	AMD B	78-02-024 78-03-007	388–96–505 388–96–505	AMD–P AMD	78–04–097 78–06–080
388-75-721	REP-P	78–05–089	388–87–025	AMD-P	10-03-001	300-70-303	VMD	, o

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-96-507	AMD-E	78-04-058	390-04-215	REP-P	78-07-039	391-70-070	NEW-E	78-08-048
388-96-507	AMD-P	78-04-097	390-04-220	REP-P	78-07-039	391-70-080	NEW-E	78-03-011
388-96-507	AMD	78-06-080	390-04-225	REP-P	78-07-039	391-70-080	NEW-E	78-06-007
388-96-533	AMD–P AMD	78-04-097 78-06-080	390-04-230 390-04-240	REP-P REP-P	78-07-039 78-07-039	391-70-080 391-70-090	NEW-E NEW-E	78-08-048 78-03-011
388-96-533 388-96-539	AMD-P	78-04-097	390-04-250	REP-P	78-07-039	391-70-090	NEW-E	78-06-007
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388-96-585	AMD-E AMD-P	78-04-097	390-16-220	AMD-P	78-03-075	391-70-103	NEW-E	78-03-011
388-96-585	AMD	78-06-080	390-16-220	AMD-P	78-05-079	391-70-110	NEW-E	78-06-007
388-96-701	NEW	78-02-013	390–16–220	AMD	78-07-037	391-70-110	NEW-E	78-08-048
388-96-704 388-96-704	NEW AMD–E	78-02-013 78-04-058	390-20-010 390-20-0101	REP NEW	78-02-063 78-02-063	391-70-120 391-70-120	NEW-E NEW-E	78–03–011 78–06–007
388-96-704 388-96-704	AMD-E	78-04-097	390-20-0101	NEW-P	78-02-003 78-06-048	391-70-120	NEW-E	78-08-048
388-96-704	AMD	78-06-080	390-20-028	NEW-E	78-06-049	391-70-130	NEW-E	78-06-007
388-96-707	NEW	78-02-013	390-20-028	NEW	78-08-061	391~70~130	NEW-E	78-08-048
388-96-707 388-96-707	AMD–E AMD–P	78-04-058 78-04-097	390-20-051 390-20-051	NEW-P NEW-E	78-06-048 78-06-049	391-70-140 391-70-140	NEW-E NEW-E	78-03-011 78-06-007
388-96-707	AMD	78-06-080	390-20-051	NEW	78-08-061	391-70-140	NEW-E	78-08-048
388-96-710	NEW	78-02-013	390-20-053	NEW-P	78-06-048	391-70-150	NEW-E	78-06-007
388-96-713	NEW	78-02-013	390-20-053	NEW-E	78-06-049	391-70-150	NEW-E	78-08-048
388-96-716 388-96-719	NEW NEW	78-02-013 78-02-013	390–20–053 390–20–055	NEW NEW-P	78-08-061 78-06-048	391~70–160 391–70–160	NEW-E NEW-E	78–06–007 78–08–048
388-96-719	AMD-E	78-04-058	390-20-055	NEW-E	78-06-049	391-70-170	NEW-E	78-03-011
388-96-719	AMD-P	78-04-097	390-20-055	NEW	78-08-061	391-70-170	NEW-E	78-06-007
388-96-719	AMD	78-06-080	390-20-120	AMD-P AMD-E	78-06-048	391-70-170 391-70-180	NEW-E NEW-E	78-08-048 78-06-007
388-96-722 388-96-722	NEW AMD-E	78-02-013 78-04-058	390-20-120 390-20-120	AMD-E AMD	78-06-049 78-08-061	391-70-180	NEW-E	78-08-048
388-96-722	AMD-P	78-04-097	390-20-140	NEW-P	78-03-116	391-70-190	NEW-E	78-06-007
388-96-722	AMD	78-06-080	390-20-140	NEW-P	78-05-079	391-70-190	NEW-E	78-08-048
388-96-722 388-96-722	AMD–P AMD–E	78-08-040 78-08-041	390-20-140 390-20-143	NEW NEW-P	78-07-038 78-03-116	391–70–200 391–70–200	NEW-E NEW-E	78–06–007 78–08–048
388-96-727	NEW	78-02-013	390-20-143	NEW-P	78-05-116 78-05-079	391-70-200	NEW-E	78-06-007
388-96-735	NEW	78-02-013	390-20-143	NEW	78-07-038	391-70-210	NEW-E	78-08-048
388-96-743	NEW	78-02-013	390-20-145	NEW-P	78-03-116	391-70-220	NEW-E	78-03-011
388-96-760 388-96-760	NEW AMD-E	78-02-013 78-04-058	390–20–145 390–20–145	NEW-P NEW	78-05-079 78-07-038	391-70-220 391-70-220	NEW-E NEW-E	78-06-007 78-08-048
388-96-760	AMD-P	78-04-097	391-21-137	NEW-P	78-05-101	391-70-230	NEW-E	78-06-007
388-96-760	AMD	78-06-080	391-21-137	NEW	78-07-014	391-70-230	NEW-E	78-08-048
388-96-763	NEW E	78-02-013	391-21-321	NEW-P NEW	78-05-101 78-07-014	391-70-240 391-70-240	NEW-E NEW-E	78-06-007 78-08-048
388-96-763 388-96-763	AMD-E AMD-P	78–04–058 78–04–097	391-21-321 391-21-535	NEW-P	78-05-101	391-70-245	NEW-E	78-03-048 78-03-011
388-96-763	AMD	78-06-080	391-21-535	NEW	78-07-014	391-70-250	NEW-E	78-03-011
388-96-766	NEW	78-02-013	391-30-137	NEW-P	78-05-102	391-70-250	NEW-E	78-06-007
388-96-769 388-96-772	NEW NEW	78-02-013 78-02-013	391-30-137 391-30-321	NEW NEW-P	78-07-013 78-05-102	391-70-250 391-70-260	NEW-E NEW-E	78–08–048 78–03–011
388-96-775	NEW	78-02-013	391-30-321	NEW	78-07-013	391-70-260	NEW-E	78-06-007
388-96-778	NEW	78-02-013	391-30-535	NEW-P	78-05-102	391-70-260	NEW-E	78-08-048
390-04-010	REP-P	78-07-039	391-30-535	NEW D	78-07-013	391-70-270	NEW-E NEW-E	78-06-007
390-04-020 390-04-030	REP-P REP-P	78-07-039 78-07-039	391-50-137 391-50-137	NEW-P NEW	78-05-100 78-07-012	391-70-270 391-70-280	NEW-E	78-08-048 78-03-011
390-04-031	REP-P	78-07-039	391-50-321	NEW-P	78-05-100	391-70-280	NEW-E	78-06-007
390-04-035	REP-P	78-07-039	391-50-321	NEW	78-07-012	391-70-280	NEW-E	78-08-048
390-04-036 390-04-037	REP-P REP-P	78-07-039 78-07-039	391-70-010 391-70-010	NEW-E NEW-E	78-03-011 78-06-007	391-70-290 391-70-290	NEW-E NEW-E	78-06-007 78-08-048
390-04-038	REP-P	78-07-039 78-07-039	391-70-010	NEW-E	78-08-048	391-70-300	NEW-E	78-03-011
390-04-040	REP-P	78-07-039	391-70-020	NEW-E	78-03-011	391-70-300	NEW-E	78-06-007
390-04-050	REP-P	78-07-039	391-70-020	NEW-E	78-06-007	391-70-300	NEW-E	78-08-048
390-04-060 390-04-070	REP-P REP-P	78-07-039 78-07-039	391-70-020 391-70-030	NEW-E NEW-E	78-08-048 78-03-011	392-109-006 392-109-006	NEW-P NEW `	78-06-115 78-08-033
390-04-080	REP-P	78-07-039	391-70-030	NEW-E	78-06-007	392-109-010	AMD-P	78-06-115
390-04-090	REP-P	78-07-039	391-70-030	NEW-E	78-08-048	392-109-010	AMD	78-08-033
390-04-100 390-04-110	REP-P	78-07-039 78-07-039	391-70-040 391-70-040	NEW-E NEW-E	78-03-011 78-06-007	392-109-026 392-109-026	NEW-P NEW	78-06-115 78-08-033
390-04-110 390-04-140	REP-P REP-P	78-07-039 78-07-039	391-70-040	NEW-E	78-08-048	392-109-026	NEW-P	78-08-053 78-06-053
390-04-150	REP-P	78-07-039	391-70-050	NEW-E	78-03-011	392-123-165	NEW	78-08-035
390-04-160	REP-P	78-07-039	391-70-050	NEW-E	78-06-007	392-125-080	NEW-P	78-06-052
390-04-170 390-04-180	REP-P REP-P	78-07-039 78-07-039	391-70-050 391-70-060	NEW-E NEW-E	78-08-048 78-06-007	392-125-080 392-137-020	NEW AMD-P	78-08-036 78-06-051
390-04-190	REP-P	78-07-039 78-07-039	391-70-060	NEW-E	78-08-048	392-137-020	AMD-F	78-08-031
390-04-200	REP-P	78-07-039	391-70-070	NEW-E	78-03-011	392-164-015	AMD-P	78-06-054
390-04-210	REP-P	78–07–039	391-70-070	NEW-E	78-06-007	392-164-015	AMD	78–08–037

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392-171-010	REP-P	78–07–093 78–07–093	392-171-390 392-171-395	NEW-P NEW-P	78–07–093 78–07–093	392–171–760 392–185–005	NEW-P	78-07-093
392-171-015 392-171-020	REP-P REP-P	78-07-093 78-07-093	392-171-393	NEW-P	78-07-093 78-07-093	392-185-010	NEW NEW	78–03–008 78–03–008
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392-171-030	REP-P	78-07-093	392-171-410	NEW-P	78-07-093	392-185-030	NEW	78-03-008
392-171-035	REP-P	78-07-093	392-171-415	NEW-P	78-07-093	392-185-040	NEW	78-03-008
392-171-040 392-171-045	REP-P REP-P	78-07-093 78-07-093	392-171-420 392-171-425	NEW-P NEW-P	78–07–093 78–07–093	392–185–050 392–185–060	NEW NEW	78–03–008 78–03–008
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392-171-055	REP-P	78-07-093	392-171-435	NEW-P	78-07-093	392-185-080	NEW	78-03-008
392-171-060	REP-P	78-07-093	392-171-440	NEW-P	78-07-093	392-185-090	NEW	78-03-008
392-171-065 392-171-070	REP-P REP-P	78–07–093 78–07–093	392-171-445 392-171-450	NEW-P NEW-P	78-07-093 78-07-093	392-185-100 392-185-110	NEW NEW	78–03–008 78–03–008
392-171-075	REP-P	78-07-093	392-171-455	NEW-P	78-07-093	392-185-120	NEW	78-03-008
392-171-080	REP-P	78-07-093	392-171-460	NEW-P	78-07-093	392-185-130	NEW	78-03-008
392-171-090	REP–P REP–P	78–07–093 78–07–093	392–171–465 392–171–470	NEW-P NEW-P	78–07–093 78–07–093	392–185–140 392–185–150	NEW NEW	78–03–008 78–03–008
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392-171-110	REP-P	78–07–093 78–07–093	392-171-490 392-171-495	NEW-P NEW-P	78–07–093 78–07–093	392-195-020	NEW-P NEW-P	78–07–094 78–07–094
392-171-113 392-171-115	REP-P REP-P	78-07-093 78-07-093	392-171-493	NEW-P	78-07-093 78-07-093	392–195–025 415–02–040	NEW-P	78-07-094 78-03-023
392-171-125	REP-P	78-07-093	392-171-505	NEW-P	78-07-093	415-02-050	NEW	78-03-023
392-171-130	REP-P	78-07-093	392-171-510	NEW-P	78-07-093	415-02-060	NEW	78-03-023
392-171-135	REP-P REP-P	78-07-093	392-171-515 392-171-520	NEW-P NEW-P	78–07–093 78–07–093	415-02-070 415-02-080	NEW NEW	78–03–023 78–03–023
392-171-137 392-171-140	REP-P	78–07–093 78–07–093	392-171-525	NEW-P	78-07-093 78-07-093	415–104–010	NEW	78-03-023 78-03-023
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392-171-170	REP-P	78-07-093	392-171-555	NEW-P	78-07-093	415–104–120	NEW	78-03-023
392-171-175	REP-P	78-07-093	392-171-560	NEW-P	78-07-093	415-104-140	NEW	78-03-023
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392-171-195	REP-P	78-07-093	392-171-580	NEW-P	78-07-093	415-104-180	NEW	78-03-023
392-171-200	REP-P	78-07-093	392-171-585	NEW-P	78-07-093	415-104-190	NEW	78-03-023
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392-171-203	REP-P	78-07-093	392-171-600	NEW-P	78-07-093	415–104–220	NEW	78-03-023
392-171-220	REP-P	78-07-093	392-171-605	NEW-P	78-07-093	415-104-230	NEW	78-03-023
392-171-225	REP-P REPP	78–07–093 78–07–093	392–171–610 392–171–615	NEW-P NEW-P	78–07–093 78–07–093	415-104-240	NEW NEW	78–03–023 78–03–023
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392-171-270	REP-P	78-07-093	392-171-650	NEW-P	78-07-093	415-104-410	NEW	78-03-023
392-171-275	REP-P	78-07-093	392-171-655	NEW-P	78-07-093	415–104–500	NEW	78-03-023
392-171-280 392-171-285	REP-P REP-P	78–07–093 78–07–093	392–171–660 392–171–665	NEW-P NEW-P	78–07–093 78–07–093	415–104–510 415–104–520	NEW NEW	78–03–023 78–03–023
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392-171-310	NEW-P	78-07-093	392-171-680	NEW-P	78-07-093	415–104–550	NEW	78-03-023
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392-171-325	NEW-P	78-07-093	392-171-695	NEW-P	78-07-093	415-104-570	NEW	78-03-023
392-171-330	NEW-P	78-07-093	392-171-700	NEW-P	78-07-093	415-104-580	NEW	78-03-023
392-171-335	NEW-P	78–07–093 78–07–093	392-171-705	NEW-P	78–07–093 78–07–093	415–104–584 415–104–588	NEW NEW	78–03–023 78–03–023
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392-171-355	NEW-P	78-07-093	392-171-725	NEW-P	78-07-093	415-104-600	NEW	78-03-023
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